

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION**

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|---------------------------|---|---------------------------|
| IN RE: | § | Case No. 22-60043 |
| | § | |
| FREE SPEECH SYSTEMS, LLC, | § | Chapter 11 (Subchapter V) |
| | § | |
| Debtor. | § | |

EMERGENCY MOTION FOR RELIEF FROM THE AUTOMATIC STAY

This is a motion for relief from the automatic stay. If it is granted, the movant may act outside of the bankruptcy process. If you do not want the stay lifted, immediately contact the moving party to settle. If you cannot settle, you must file a response and send a copy to the moving party at least 7 days before the hearing. If you cannot settle, you must attend the hearing. Evidence may be offered at the hearing and the Court may rule.

Represented parties should act through their attorney.

Emergency relief has been requested. If the Court considers the motion on an emergency basis, then you will have less than 21 days to answer. If you object to the requested relief or if you believe that the emergency consideration is not warranted, you should file an immediate response.

Relief is requested no later than Friday, August 5, 2022 at 12:00 p.m.

David Wheeler, Francine Wheeler, Jacqueline Barden, Mark Barden, Nicole Hockley, Ian Hockley, Jennifer Hensel, Donna Soto, Carlee Soto Parisi, Carlos M. Soto, Jillian Soto-Marino, William Aldenberg, William Sherlach, and Robert Parker (collectively, the Connecticut Families) hereby file this *Emergency Motion for Relief from the Automatic Stay* (the Emergency Motion) requesting entry of an order granting them relief from the automatic stay, for cause, under 11 U.S.C. § 362(d)(1) and Rule 4001 of the Federal Rules of Bankruptcy Procedure, and on an emergency basis under 11 U.S.C. § 105(a), Rule 9006 of the Federal Rules of Bankruptcy Procedure, and Local Rule

9013-1(i). For nearly five years, Alex Jones has sought in every conceivable way to deny and delay the Connecticut Families’ right to have a jury hear the evidence against Alex Jones and the Debtor, and to assess damages against them for intentional infliction of emotional distress, defamation, and additional torts against him and the Debtor. Liquidation of those claims in the Connecticut Superior Court, where these actions have been pending since 2018, is imminent. Jury selection for the trial is scheduled to commence August 2, 2022. The Connecticut Families respectfully state as follows:

I. INTRODUCTION

1. The Connecticut Families are immediate family members of children and educators killed in the Sandy Hook Elementary School shooting on December 14, 2012 and one first responder to the shooting. They are also victims of Jones’s lies, which aired via his InfoWars media empire and through social media to an audience of millions. Jones told that audience that the Sandy Hook shooting was “a synthetic completely fake with actors,” a “hologram,” an “illusion” and “the fakest thing since the three-dollar bill,” “staged” to take away their guns, and that the Sandy Hook families were “paid ... totally disingenuous” “crisis actors” who faked their loved ones’ deaths. He urged the audience to “investigate,” knowing his audience would respond by cyberstalking, harassing, and threatening the plaintiffs. *See* Exs. A-C, Complaints in the three consolidated cases currently pending in Connecticut (the Connecticut Action).¹

2. For the second time in the past several months, the Jones Defendants seek to use the bankruptcy process to delay trial in the Connecticut Action against Jones and Free Speech Systems, LLC, the debtor and debtor- in-possession in this chapter 11 case

¹ Due to subsequent rulings in the Connecticut Action, and as further set forth below, these facts are now admitted by the Debtor and by Alex Jones.

(the Debtor or FSS). The Jones Defendants' liability has been established in the Connecticut Action due to litigation tactics over the last several years so egregious that the court entered orders against Jones and the Debtor resulting in conclusive and binding determinations in favor of the plaintiffs as to the Jones Defendants' liability.² See Exs. D-E, Connecticut Default Ruling; Connecticut Ruling Striking Notice of Defenses.³ The Connecticut Families respectfully ask this Court to prevent Jones from, on nearly the literal eve of trial, once again delaying the adjudication of the Connecticut Action with the clear purpose of stopping that trial and the liquidation of the claims pending there. These claims cannot be liquidated in this Court. To waste the significant resources invested in the preparation for the Connecticut trial by both the Connecticut Families and the Debtor would be both imprudent and inefficient.

II. REQUEST FOR EMERGENCY CONSIDERATION

3. Emergency consideration of this Motion is sought to prevent the Debtor and Jones from once again using the bankruptcy process to evade and derail the trial in the Connecticut Action—an action that has been pending for more than four years now—when

² Other family members of Sandy Hook families have filed state court actions in Texas that arose out of similar conduct by the Debtor and Jones (the Texas Actions). See *Heslin, et al. v. Jones, et al.*, Cause No. D-1-GN-18-001835, in the 53rd District Court of Travis County, Texas; *Pozner, et al. v. Jones, et al.*, Cause No. D-1-GN-18-001842, in the 345th District Court of Travis County, Texas; and *Fontaine v. Jones, et al.*, Cause No. D-1-GN-18-001605, in the 459th District Court of Travis County, Texas. Liability has been established in these actions and a damages trial started in one on Monday, July 25, 2022.

³ The disciplinary default rulings in this case establish the liability of both Alex Jones and the Debtor. See, e.g., *Smith v. Snyder*, 267 Conn. 456, 471 (2004) (effect of default is “the conclusive establishment of liability”); *Marcus v. DuPerry*, 223 Conn. 484, 488 (1992) (“the defendant's liability had already been conclusively established by the rendering of the default”); *Abbott Terrace Health Ctr., Inc. v. Parawich*, 120 Conn. App. 78, 85 (2010) (“[E]ntry of default, when appropriately made, *conclusively determines the liability of a defendant.*”) (emphasis in original). These rulings determine that the defendants admit the facts alleged in the complaint. See, e.g., *Smith*, 267 Conn. at 464 (“[T]he entry of a default constitutes an admission by the defendant of the truth of the facts alleged in the complaint.”); *DeBlasio v. Aetna Life & Cas. Co.*, 186 Conn. 398, 401 (1982) (same); *Dziedzic v. Pine Island Marina, LLC*, 143 Conn. App. 644, 645 (2013) (“As our Supreme Court has explained, the entry of a default judgment conclusively establishes the facts alleged in the plaintiff's complaint.”).

the far better course is to liquidate these claims in the presently scheduled trial. The Connecticut Action is pending in Connecticut Superior Court in the Judicial District of Waterbury, Connecticut, before the Honorable Barbara Bellis. Judge Bellis has presided over the Connecticut Action since its inception. Jury selection is scheduled to commence on August 2, 2022, with evidence following on September 6, 2022. Due to great efforts by the Connecticut Families, this setting was maintained even when other entities owned and controlled by Jones recently filed bankruptcy. Due to these efforts and those of the families in the Texas Actions, that bankruptcy was dismissed within two months of the date of its filing.⁴ Debtor's filing here, after years of litigation and timed on the eve of trial, is Alex Jones's latest effort to delay the Connecticut Families' case and necessitates emergency relief permitting the adjudication of this action to proceed.

4. Notably, a similar emergency motion has been filed by the Debtor in regard to one of the pending Texas Actions [Dkt. No. 2]. The parties there are currently in trial, which commenced on July 25, 2022. As Debtor recognizes with the Texas Action, relief is warranted for the Connecticut Action. The Connecticut Families similarly seek emergency consideration of this Motion on or before 12:00 p.m. on August 5, 2022, or as soon thereafter as the Court's schedule will allow.

5. Under 11 U.S.C. § 105(a), "[t]he court may issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of this title." Under Rule 9006(c)(1) of the Federal Rules of Bankruptcy Procedure, "the court for cause shown may in its discretion with or without motion or notice order the [time required by the Bankruptcy Rules] reduced." And, under Local Rule 9013-1(i), the Court may consider

⁴ See *In re InfoW, LLC, et al.*, Case No. 22-60020, in the United States Bankruptcy Court for the Southern District of Texas, Victoria Division

this motion on an emergency basis. The Connecticut Families seek relief from the automatic stay on an emergency basis to permit the jury trials in the Connecticut Action to proceed in order to determine damages and enter final judgment in a fixed amount. Enforcement of any judgment entered would be stayed as to the Debtor. Further, the Connecticut Families respectfully request that the 14-day stay imposed by Rule 4001(a)(3) of the Federal Rules of Bankruptcy Procedure be waived to allow the Connecticut Families to immediately proceed in the Connecticut Action. The Connecticut Families request this emergency relief (1) to prevent the Jones Defendants' abuse of the bankruptcy process; (2) to preserve the Connecticut Families' trial setting and protect against prejudicial delay; and (3) to promote judicial efficiency.

III. BACKGROUND

6. Almost immediately after the Sandy Hook Elementary School shooting on December 14, 2012, Alex Jones (Jones) began a series of broadcasts in which he asserted that the shooting was a hoax and the Connecticut Families were crisis actors—that is, that the family members of these murdered children and educators were actors misleading the public by pretending to play the parts of grieving parents. The Connecticut Families asserted claims against Jones and his entities in the Connecticut Action based on these actions by Jones. In other words, the Connecticut Families are not creditors in the traditional sense to which this Court is accustomed. They did not loan Jones money or become the victim of some fraudulent scheme designed to take their money. Rather, they are victims of Jones's repeated falsehoods regarding them and the school shooting in which their loved ones were killed.

7. For more than five years, Jones, through his media empire, targeted the Connecticut Families and their loved ones that were killed. Jones and his InfoWars

“contributors” told an audience of millions that the Sandy Hook shooting was “a synthetic completely fake with actors,” a “hologram,” an “illusion” and “the fakest thing since the three-dollar bill,” “staged” to take away their guns, and that the Sandy Hook families were “paid . . . totally disingenuous” “crisis actors” who faked their loved ones’ deaths. Jones urged the audience to “investigate,” knowing his audience would respond by cyberstalking, harassing, and threatening the families.⁵

8. The Connecticut Action has proceeded in Connecticut Superior Court for nearly four years. From the very beginning, the Jones Defendants resisted the authority of the Connecticut Superior Court by every conceivable means. They removed twice to the United States District Court and were remanded twice. The Jones Defendants were sanctioned in June 2019 for repeated violations of the court’s discovery orders and threatening the plaintiffs’ counsel, a sanction affirmed by the Connecticut Supreme Court in *Lafferty v. Jones*, 336 Conn. 332, 374, 377 (2020) (describing Jones’ course of conduct as “a whole picture of bad faith litigation misconduct”). See Ex. F, Connecticut Supreme Court decision. On remand, Jones and the Debtor continued to flaunt court orders and his discovery obligations by falsely denying the existence of certain financial records, producing fabricated financial records, and simply refusing to produce analytics data concerning revenue and content distribution. In October 2021, knowing a sanction of default was likely imminent as a result of their continued misconduct, the Jones Defendants attempted to avoid it by moving to recuse the Connecticut Superior Court

⁵ The citations to the quotations, in the order they appear, are: Ex. A, Complaint ¶ 185 (Jones on his radio show); ¶ 223 (Jones on his radio show); ¶¶ 140-41 (non-debtor defendants Wolfgang Halbig and Jones on Jones’s radio show); ¶¶ 117, 273 (Jones on his channel and at a press conference), ¶¶ 138, 149, 223 (Jones on his radio show); ¶ 295 (statement by an InfoWars “contributor” on Jones’s radio show); ¶¶ 112, 120-21, 185, 197 (Jones on his channel and on his radio show). Identical allegations appear in the complaints in the consolidated actions brought by Sherlach and Parker. See Exs. B-C.

judge who presided over the case since its inception. Ex. G, Jones Defendants' Motion to Recuse. The state court denied the motion, finding that the Jones Defendants had not shown any "judicial bias, partiality, or impropriety." Ex. H, Order Denying Motion to Recuse. On November 15, 2021, the state court entered a default against the Jones Defendants, finding that the sanction was necessary "given the scope and extent of the discovery material that the defendants have failed to produce." Ex. D, Default Ruling. The state court further ruled that because of the extensive misconduct, the default would be binding. Ex. E, Connecticut Ruling Striking Notice of Defenses.

9. In both the Connecticut Action and the Texas Actions, Jones and the Debtor (which again is both wholly owned by Jones and completely subject to his control)⁶

⁶ "The court notes Mr. Jones is sole controlling authority of all the defendants." Ex. D, Default Ruling at 16. Mr. Jones's sworn interrogatories also establish his exclusive control:

1. Identify: a. All business organizations and/or other entities in which you have ownership and/or control
- b. The officers or members of all organizations and/or entities responsive to part (a)
- c. The shareholders or other owners of all organizations and/or entities responsive to part (a)...

ANSWER:

- a. I, Alex Jones, have ownership and/or control of the following business organizations and/or other entities: Free Speech Systems LLC. . .
- b. I am the sole officer and member of all the organizations and/or entities responsive to part (a).
- c. I am the sole shareholder and owner of all organizations and/or entities responsive to part (a).

Ex. I, Sworn Interrogatories of Alex Jones; *see also id.* Sworn Interrogatories of FSS signed by Alex Jones. In addition, the sworn testimony of FSS's corporate representative establishes Jones's exclusive control:

Q Okay. All right. So, Mr. Zimmerman Free Speech Systems is owned and operated by Alex Jones, correct?

A That's correct.

Q And does he have authority over all Free Speech Systems operations?

A That's correct.

Q Okay. He is the CEO and owner?

A That's correct.

Q And does he have the authority to hire and fire anybody of his choosing?

engaged in pervasive discovery misconduct so egregious that both state courts resolved liability against Jones and the Debtor and precluded them from introducing any evidence in support of any purported defense.⁷

10. In August 2021, the Connecticut Superior Court set the Connecticut trial date on the issue of damages only. The first of the Texas Actions was set to commence on April 25, 2022, with others to proceed throughout the spring. The Connecticut Action was then scheduled to commence with jury selection on August 2, 2022.

11. Faced with imminent trials, Jones attempted to use the bankruptcy process to stall or evade the Connecticut Action and Texas Actions. On April 17 and 18, 2022—at Jones’s direction—three shell companies that Jones also wholly controls, InfoW, LLC (fka Infowars, LLC); IWHealth, LLC (fka Infowars Health, LLC); and Prison Planet TV, LLC (the IW Shell Companies)—all of which were defendants in the Connecticut Action—filed for relief under chapter 11, subchapter v, of the Bankruptcy Code. *See In re InfoW, LLC, et al.*, No. 22-60020 (Bankr. S.D. Tex). Within hours of these chapter 11 filings, pleadings were filed to remove the Connecticut Action and Texas Actions to the United States Bankruptcy Courts for Connecticut and Texas, respectively, on the basis of “related to” jurisdiction. The sole basis for each removal was the pending bankruptcy.

A That’s correct.

Q And does he have authority to overrule any decision made by a subordinate?

A That’s correct.

Q And he has ultimate authority over Free Speech finances?

A That’s correct.

Q And he is not accountable to a board of directors or governing authority, correct?

A Correct

Ex. J, FSS Dep. Jun, 24, 2021 at 89-90.

⁷ See Exs. D-E.

The bankruptcy-based removals effectively stayed the Connecticut Action and Texas Actions in their entirety against all defendants, whether or not they were debtors in the chapter 11 case.

12. The IW Shell Companies held no operating assets or financial assets. They had no businesses to reorganize or liquidate. The U.S. Trustee immediately filed a motion to dismiss the case, arguing that “[t]he strategy employed here—filing bankruptcy for three non-operating members of a larger enterprise to channel and cap liability against the other, revenue-generating members of that enterprise and its owner using a bankruptcy subchapter designed to aid small, struggling businesses—is a novel and dangerous tactic that is abusive and undermines the integrity of the bankruptcy system.” *In re InfoW, LLC*, Case No. 22-60020, ECF No. 50, at 2 (Bankr. S.D. Tex. Apr. 29, 2022). The U.S. Trustee also argued that “Jones and FSS hand-picked . . . three holding companies for bankruptcy as part of a scheme engineered solely to limit their own legal liability, to deny parties in interest a full accounting of their assets, and to deny individuals their day in court and imminent recovery for established liability.” *Id.* at 16.

13. The Connecticut Families also promptly moved to dismiss the bankruptcy case as a bad faith filing. *See In re InfoW, LLC*, Case No. 22-60020, ECF No. 36. A briefing schedule was set which would have resulted in delay and could have affected the Movants’ state-court trial date. In order to obtain immediate remand and retain their trial date, the Connecticut Families obtained dismissal of their state-court causes of action against the IW Shell Companies and were remanded from the Connecticut Bankruptcy Court to which they had been removed back to Connecticut Superior Court.

14. Because the dismissal of the IW Shell Companies from the Connecticut Action ended the Connecticut Families' interest in the IW Shell Companies' bankruptcy, the Connecticut Families withdrew their motion to dismiss the bankruptcy.

15. The Texas plaintiffs exited the IW Shell Companies' bankruptcy in slightly different way. They stipulated with IW Shell Companies to a withdrawal against them in the Texas Actions and based on that stipulation obtained remand.

16. The United States Trustee and IW Shell Companies then agreed to dismissal of the chapter 11 cases, which the bankruptcy court Judge Christopher M. Lopez ordered on June 10, 2022.

17. Jones and FSS are now the only remaining defendants in the Connecticut Action and Texas Actions. *Id.*

18. Following remand, the Connecticut Superior Court confirmed the August 2 trial date was firm. Jury selection is scheduled to commence on that date with evidence following on September 6, 2022. In Connecticut, the state constitution guarantees the right to individual voir dire. *See* Conn. Const. art. I, § 19 ("The right to question each juror individually by counsel shall be inviolate."). Unlike in Texas where a jury is impaneled in a single day, it is common for voir dire in Connecticut to span several weeks with individual jurors selected over the course of days. Given the nature of the Connecticut Action, the trial judge allotted four weeks for jury selection. While that time span for jury selection may be curtailed by a few days, to curtail it further risks losing the Connecticut trial date.

19. The Texas state court, in which some original trial dates had passed, re-set the trial dates with the earliest set for July 25, 2022.

20. With the first Texas Action currently pending and the Connecticut Action set to begin jury selection on August 2, 2022, Jones caused FSS to commence this chapter 11 case on July 29, 2022. With its filing, FSS sought emergency relief from the automatic stay to allow the first Texas Action to continue to final judgment [Dkt. No. 2].

21. Unless the relief requested in this Emergency Motion is granted, Jones will again have used the bankruptcy system to disrupt the Connecticut Action, frustrating a process that is ripe to proceed and needs to proceed. The Connecticut Families' claims need to be liquidated for this bankruptcy case to progress. That liquidation is excluded from this bankruptcy case and reserved for jury trial. The Connecticut state court is the forum in which the Connecticut Action must proceed.

IV. JURISDICTION AND VENUE

22. The Court has jurisdiction over this Emergency Motion under 28 U.S.C. §§ 157 and 1334. This Emergency Motion is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2)(A) and (G). Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409.

V. ARGUMENT AND ANALYSIS

23. The Connecticut Families seek relief from the automatic stay on an emergency basis to permit the jury trial in the Connecticut Action to adjudicate their claims to final judgment; pursue collection against non-debtor defendants; and establish their rights to recover from the Debtor within the bankruptcy case. This relief is both necessary and warranted (1) to prevent the Jones Defendants' self-serving manipulation of trial schedules through the bankruptcy process; (2) to preserve the Connecticut Families' trial setting and protect against prejudicial delay; and (3) to promote judicial efficiency.

24. As a general rule, the filing of a bankruptcy petition operates to stay litigation involving pre-petition claims against a debtor. *See* 11 U.S.C. § 362(a)(1) (automatically staying “any action or proceeding against the debtor that was or could have been commenced” before the filing of the petition). However, the automatic stay can be modified, so long as an interested party can demonstrate “cause.” *See* 11 U.S.C. § 362(d)(1) (stating “the court shall grant relief from the stay . . . for cause[.]”). The Bankruptcy Code does not define “cause” for lifting the stay, leaving courts to consider whether cause exists on a case-by-case basis. *See In re Reitnauer*, 152 F.3d 341, 343 n.4 (5th Cir. 1998). “Cause” as used in this section “is an intentionally broad and flexible concept that permits the Bankruptcy Court, as a court of equity, to respond to inherently fact-sensitive situations.” *In re Tex. State Optical, Inc.*, 188 B.R. 552, 556 (Bankr. E.D. Tex. 1995). Significantly, “[t]he Fifth Circuit has recognized cause as ‘any reason cognizable to the equity power and conscience of the court as constituting an abuse of the bankruptcy process.’” *In re Northbelt, LLC*, 630 B.R. 228, 284 (Bankr. S.D. Tex. 2020) (citing *In re Little Creek Dev. Co.*, 779 F.2d 1068, 1072 (5th Cir. 1986)); *see also In re JCP Properties, LLC*, 540 B.R. 596, 614-16 (Bankr. S.D. Tex. 2015). Given the timing of Debtor’s filing and ongoing abuse of the judicial process, this factor weighs heavily in favor of lifting the stay.

25. Further, bankruptcy courts have given meaning to the term based on a three-prong test for determining when a stay should be lifted, including: (1) whether any great prejudice to either the bankruptcy estate or the debtor will result in prosecution of the lawsuit; (2) whether the hardship to the non-debtor party by the continuation of the automatic stay outweighs the hardship of the debtor; and (3) whether the creditor has a probability of success on the merits of his or her case. *In re Fernstrom Storage and Van*

Co., 938 F.2d 731, 735 (7th Cir. 1991); *In re Robertson*, 244 B.R. 880, 882 (Bankr. N.D. Ga. 2000); *In re Bock Laundry Machine Co.*, 37 B.R. 564, 566 (Bankr. N.D. Ohio 1984). Courts in this district have utilized this method. *See In re Kao*, No. 15-31193-H3-13, 2015 WL 9412744, at *2 (Bankr. S.D. Tex., December 21, 2015) (citing *In re Namazi*, 106 B.R. 93 (Bankr. E.D. Va. 1989)). Here, all three prongs weigh in favor of modifying the automatic stay to allow the Connecticut Action to proceed.

A. *No great prejudice will result to the bankruptcy estate or the Debtor from prosecution of the Connecticut Action.*

26. The Connecticut Families are personal injury tort claimants. *See* Exs. A-C, Connecticut Families' Complaints. Their claims require adjudication for purposes of distribution in the bankruptcy case. That adjudication is excluded from the bankruptcy case.⁸ *See* 28 U.S.C. § 157(b)(2)(B); *see also In re Schepps Food Stores, Inc.*, 169 B.R. 374, 377 and n.3-4 (Bankr. S.D. Tex. 1994) (analyzing the exclusion of personal injury claims and scope of bankruptcy court power). The Connecticut Families have also preserved their rights to a jury trial outside the bankruptcy case with jury selection scheduled for August 2, 2022.⁹ *See* 28 U.S.C. § 1411. These claims exist and must be resolved. As such, the issue before the Court is when these claims should move forward. *See In re Fuchs*, No. 05-3595-BJH, 2006 WL 6543977, at *2-3 (Bankr. N.D. Tex. 2006) (unpublished) (finding adjudication of personal injury claims sufficient to establish cause for granting relief from the automatic stay). Although the automatic stay currently prevents adjudication of these pending claims, the stay was not intended to indefinitely prevent

⁸ The Connecticut Families do not consent to a final order in the bankruptcy case. *See Wellness Int'l Network, Ltd. v. Sharif*, 135 S. Ct. 1932, 1944 (2015).

⁹ The Connecticut Families do not consent to a jury trial in the bankruptcy case. *In re Clay*, 35 F.3d 190, 191 & 198 (5th Cir. 1994)

such adjudication. *See In re Bock Laundry Machine Co.*, 37 B.R. at 567 ("The automatic stay was never intended to preclude a determination of tort liability and the attendant damages"). Instead, "[c]ourts often grant creditors relief from the automatic stay so they can adjudicate their unliquidated claims against a debtor outside of bankruptcy court, particularly when the claims are already the subject of pending litigation." *Kipp Flores Architects, L.L.C. v. Mid-Continent Cas. Co.*, 852 F.3d 405, 414 (5th Cir. 2017).

27. The Connecticut Families' claims have been pending in the Connecticut Action for four years. *See* Exs. A-C, Connecticut Families' Complaints. These claims have been substantially investigated, litigated, and prepared for trial. Debtor's liability has been established. And the remaining issues to be decided are damages. Substantial costs for litigation have already been borne, and the Jones Defendants have actively sought and received contributions from supporters to defray the costs of defending the Connecticut Action and Texas Actions. *See* Ex. K, Dep. Jones Apr. 5, 2022 at 17:06-11; Ex. L, Dep. Jones Apr. 6, 2022 at 460:17-462:20. There is no prejudice to the Debtor in adjudicating these claims to final judgment in the Connecticut Action, especially as the Connecticut Families' requested relief limits collection of any judgment outside the bankruptcy case to non-debtor codefendants and third parties, while reserving collection against Debtor to this bankruptcy case. *See In re Fowler*, 259 B.R. 856, 859 (Bankr. E.D. Tex. 2001). Rather, judicial efficiency and conservation of party resources are best served by permitting adjudication in the Connecticut Action to proceed.

B. The Connecticut Families' hardship under the automatic stay substantially outweighs any hardship Debtor would experience under the requested modification.

28. The Connecticut Families' adjudication of their claims against Debtor is dependent upon lifting the automatic stay. *See* 28 U.S.C. § 157(b)(2)(B); 28 U.S.C. § 1411.

The harm the Connecticut Families have endured is inherent in the nature of their claims. They are the immediate family members of children and educators killed in the Sandy Hook Elementary School shooting on December 14, 2012 and one first responder to the shooting. They are the victims of the Debtor and Jones's lies surrounding that event. As personal injury claimants, the Connecticut Families look to a jury trial to hold the Jones Defendants accountable for their actions in the eyes of the public; to find personal closure for the harms done them, to the extent that is possible; and to liquidate their damages. Movants have waited years for that relief and closure, delayed and frustrated by the Debtor and Jones's obstruction. Movants and their counsel have expended considerable time and expense preparing for the August 2 voir dire and September 6 trial date described above. Pretrial motions have been drafted based on current record. Witnesses have been and are being prepared. Travel arrangements have been made and parties and expert and fact witnesses' schedules have been coordinated. And these families have prepared themselves mentally for the trial. To impose the burden and cost of delay on these families is a great hardship, one that substantially outweighs any hardship of the Debtor. Bankruptcy does not relieve the Debtor of the burden of liquidating existing claims. That burden is limited given the procedural posture of the Connecticut Action. Delay will not lessen that burden. Rather, delay will increase it.

C. Movants have a probability of success on the merits of their claims.

29. Even a slight probability of success on the merits may be sufficient to support lifting the automatic stay. *See In re The SCO Group, Inc.*, 395 B.R. 852, 859 (Bankr. D. Del. 2007). Here, liability against the Debtor is already established. All that remains is a determination of damages, which the Connecticut Families are assured to

obtain, especially as they are represented by experienced, capable attorneys in the Connecticut Action.

D. Alternative factors weigh in favor of modifying the automatic stay.

30. Bankruptcy courts have also considered other factors¹⁰ in determining whether to lift the automatic stay to allow litigation to proceed in another forum, including:

- i. whether relief will result in a partial or complete resolution of the issues;
- ii. lack of any connection with or interference with the bankruptcy case;
- iii. whether the other proceeding involves the debtor as a fiduciary;
- iv. whether a specialized tribunal has been established to hear the particular cause of action;
- v. whether the debtor's insurer has assumed full responsibility;
- vi. whether the action primarily involves third parties;
- vii. whether litigation in the other forum would prejudice the interests of the other creditors;
- viii. whether the judgment claim arising from the other action is subject to equitable subordination;
- ix. whether the movant's success would result in a judicial lien avoidable by the debtor;
- x. interests of judicial economy and the expeditious and economical resolution of litigation;
- xi. whether the proceedings have progressed to the point that the parties are ready for trial; and
- xii. impact of the stay on the parties and the balance of harm.

¹⁰ These same factors go into the various tests used by the courts in the Fifth Circuit to determine abstention and remand. *In re Viper Prods. & Servs., LLC*, 2022 WL 2707879, at *2.

See In re Curtis, 40 B.R. 795, 799-800 (Bankr. D. Utah 1984); *In re U.S. Brass Corp.*, 176 B.R. 11, 13 (Bankr. E.D. Texas 1994). These factors need not be assigned equal weight, and only those factors relevant to the particular case need to be considered. *Id.* (citing *In re Keene Corp.*, 171 B.R. 180, 183 (Bankr. S.D.N.Y. 1994)). Courts have recognized that a decision to lift stay may be upheld on the ground of judicial economy alone. *See In re Kao*, 2015 WL 9412744, at *2 (citing *In re U.S. Brass Corp.*, 176 B.R. at 13 and *In re Kemble*, 776 F.2d 802, 807 (9th Cir. 1985)).

31. With regard to the above factors that are applicable here, liability has been determined and lifting the stay will allow the Connecticut Families to promptly liquidate their claims. The liquidation of the Connecticut Families' damages claims in the Connecticut Action is essential to the efficient resolution of this bankruptcy case. Based on the filings made in this Court, the Connecticut Families and the plaintiffs in the Texas Actions will be the largest creditors in this case.¹¹ Having an early and final determination of these claims against the Debtor will best allow this case to progress forward.

32. Proceeding with the Connecticut Action should not interfere with the bankruptcy case, whereas denial will result in substantial harm to the Connecticut Families. Specifically, the Connecticut Action is ready for jury trial in the state court of Connecticut on the limited issue of damages. Lifting the stay here will not prejudice other creditors as it merely allows the Connecticut Families to liquidate claims that already exist. Further, the Connecticut Families have reserved collection against the

¹¹ The only other material claim, FSS's alleged PQPR Note [Dkt. 6], is subject to pending claims for fraudulent transfer in *Heslin v. Jones*, No. D-1-GN-22-001610, In the 200th Judicial District Court, Travis County, Texas. *See Ex. M*, The Connecticut Families maintain that this supposed liability is fraudulent and made for the purpose of transferring money from the Debtor to other entities controlled by Jones.

Debtor to a claim within the administration of the bankruptcy case. As such, a judgment in the Connecticut Action will only be enforced against the Debtor in the bankruptcy case.

33. In contrast, ongoing delay would work great prejudice against the Connecticut Families, who have waited four years to have their claims heard by a jury only to encounter yet another effort at delay by the Jones Defendants. *See In re Fernstrom Storage & Van Co.*, 938 F.2d at 736–37 (“A decision continuing application of the stay to IBM’s action would cause it great prejudice by forcing it, in effect, to write off the expenses it incurred in litigating its case against Fernstrom to the eve of trial. Where the stayed non-bankruptcy litigation has reached an advanced stage, courts have shown a willingness to lift the stay to allow the litigation to proceed.”). The Connecticut Families’ claims are both in form and substance personal injury tort claims, as to which a jury trial right exists. All of the issues in the Connecticut Action are based on issues of state law. The issues involve interpretation of complex Connecticut statutes and tort law developed in Connecticut case law. As set forth above, they are entitled to adjudication outside of the bankruptcy cases and will not burden that bankruptcy court’s docket.

34. Further, judicial economy favors lifting the stay given the trial posture of the Connecticut Families’ claims against the Debtor in the Connecticut Action as well as their pending claims against the non-debtor defendants. The experienced Connecticut trial judge who has presided over this case for four years scheduled this jury trial date a year ago and is fully prepared to proceed with the trial, as are the parties. The most efficient use of judicial resources is to allow the Connecticut Action to proceed.

35. Finally, the Court should be mindful of comity considerations with the Connecticut state court. In that Court, the Debtor and Jones were sanctioned for their misconduct in the litigation. The matter should be adjudicated in the Connecticut court

for that reason alone. The court in *In re Xenon Anesthesia of Texas, PLLC*, 510 B.R. 106 (Bankr. S.D. Tex. 2014), cited with approval by the Fifth Circuit in *Kipp Flores Architects, L.L.C., supra*, granted relief from the stay for the claimant to proceed with a contempt citation in state court, stating:

The state court has been involved in the litigation between these parties since its inception more than two years ago. The state court case has been set for trial twice and both sides are ready to proceed to have the matter resolved. The state court is familiar with the causes of action alleged, the parties involved, and the facts of the state court litigation. The state court has rendered numerous rulings and orders in connection with the state court litigation. The state court is entitled to consummate the exercise of its inherent power to punish a contemnor for improper past acts that affronted the state court's dignity and authority.

Id. at 110. The Court should lift the automatic stay for cause to permit the Connecticut Families to proceed.

VI. PRAYER

36. For the reasons stated above, the Connecticut Families respectfully request that the Court enter an order: (a) granting relief from the automatic stay to allow the Connecticut Families to pursue their claims to judgement in the Connecticut Action; (b) limiting collection to non-debtor third parties outside of the bankruptcy case; (c) reserving collection against the Debtor as a claim asserted within the bankruptcy administration; and (d) allowing the relief from the automatic stay to take effect immediately under Bankruptcy Rule 4001(a)(3) upon the entry of an order approving this Emergency Motion. The Connecticut Families also request any and all other general relief to which they may be entitled.

Respectfully submitted this 31st day of July 2022.

/s/ Ryan E. Chapple
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ATTORNEYS FOR WHEELER, ET AL.

CERTIFICATE OF ACCURACY

I hereby certify that the forgoing statements are true and accurate to the best of my knowledge and belief. This statement is being made pursuant to Bankruptcy Local Rule 9013-1(i).

/s/ Ryan E. Chapple
Ryan E. Chapple

CERTIFICATE OF CONFERENCE

I hereby certify, as counsel for Connecticut Families, my firm has conferred with Debtor's counsel, and as of the filing of this Motion, Debtor's counsel has not responded to our request regarding the relief requested herein.

/s/ Ryan E. Chapple
Ryan E. Chapple

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Emergency Motion for Relief from the Automatic Stay has been served on counsel for Debtor, Debtor, and all parties receiving or entitled to notice through CM/ECF on this 31st day of July 2022.

/s/ Ryan E. Chapple
Ryan E. Chapple

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION**

| | | |
|---------------------------|---|---------------------------|
| IN RE: | § | Case No. 22-60043 |
| | § | |
| FREE SPEECH SYSTEMS, LLC, | § | Chapter 11 (Subchapter V) |
| | § | |
| Debtor. | § | |

EXHIBIT A

| | | |
|----------------------------|---|-------------------|
| RETURN DATE: JUNE 26, 2018 | : | JUDICIAL DISTRICT |
| | : | |
| ERICA LAFFERTY, ET AL, | : | OF FAIRFIELD |
| | : | |
| v. | : | AT BRIDGEPORT |
| | : | |
| ALEX JONES, ET AL. | : | MAY 23, 2018 |

COMPLAINT

INTRODUCTION

1. This is a civil action for damages leading from the mass shooting that happened at Sandy Hook Elementary School on December 14, 2012.

2. Just before 9:30 AM that morning, Adam Lanza shot his way into the locked school with a Bushmaster XM15-E2S.

3. In less than five minutes, he shot and killed 20 first-grade children and 6 adults. Two others were wounded.

4. That tragic day left behind 26 families that will never be whole again.

5. Every day since, those families have struggled to reconcile themselves with the irrevocable loss of their beloved sons, daughters, sisters, brothers, and mothers.

6. Even though overwhelming—and indisputable—evidence exists showing exactly what happened at Sandy Hook Elementary School on December 14, 2012, certain individuals have persistently perpetuated a monstrous, unspeakable lie: that the Sandy Hook shooting was staged, and that the families who lost loved ones that day are actors who faked their relatives' deaths.

7. Defendant Alex Jones is a conspiracy-theorist radio and internet personality who holds himself out as a journalist. He is the most prolific among those fabricators. But he does not work alone: along with his various business entities, Jones is the chief amplifier for a group that has worked in concert to create and propagate loathsome, false narratives about the Sandy Hook shooting and its victims, and promote their harassment and abuse.

8. Jones, along with these others, has persisted in the perpetuation and propagation of this outrageous, deeply painful, and defamatory lie in the face of a mountain of evidence to the contrary, and with no supporting evidence.

9. Alex Jones does not in fact believe that the Sandy Hook Shooting was a hoax—and he never has.

10. Nevertheless, time and again, Jones has accused Sandy Hook families, who are readily identifiable, of faking their loved ones' deaths, and insisted that the children killed that day are actually alive.

11. Jones has deliberately employed these false narratives about the Sandy Hook shooting, the victims, and their families as part of a marketing scheme that has brought him and his business entities tens of millions of dollars per year.¹

12. Jones has an audience of millions. He has repeatedly urged them to "investigate" the Sandy Hook shooting. He has purposely published statements by other people who falsely assert that the Sandy Hook shooting was a hoax.

13. As a result of Jones's campaign, the families and survivors of the Sandy Hook shooting have been forced to endure malicious and cruel abuse at the hands of ruthless and unscrupulous people.

14. On a regular basis, the families and survivors have faced physical confrontation and harassment, death threats, and a sustained barrage of harassment and verbal assault on social media.

15. They have confronted strange individuals videotaping them and their children.

16. Some of them have moved to undisclosed locations to avoid this harassment.

17. The plaintiffs bring this action in defense of the values protected by the First Amendment to the U.S. Constitution, not in derogation of it.

18. Like any marketplace, the marketplace of ideas that the First Amendment was meant to protect cannot function properly without accountability for reprehensible conduct like the defendants'. In fact, the defendants themselves have proven this to be so by their successful propagation of the blatantly false and harmful aspersions described in this Complaint.

19. The First Amendment has never protected demonstrably false, malicious statements like the defendants'. This is because "there is no constitutional value in false statements of fact. Neither the intentional lie nor the careless error materially advances society's interest in 'uninhibited, robust and wide-open' debate on public issues."²

¹ See Seth Brown, *Alex Jones's Media Empire Is a Machine Built to Sell Snake-Oil Diet Supplements*, N.Y. MAG. (May 4, 2017), <http://nymag.com/selectall/2017/05/how-does-alex-jones-make-money.html>; Alex Seitz-Wald, *Alex Jones: Conspiracy, Inc.*, SALON (May 2, 2013), https://www.salon.com/2013/05/02/alex_jones_conspiracy_inc/.

² *Gertz v. Robert Welch, Inc.*, 418 U.S. 323, 340 (1974) (quoting *New York Times Co. v. Sullivan*, 376 U.S. 254, 270 (1964)). While the Supreme Court has afforded "a measure of strategic protection" to certain kinds of falsehoods to ensure that speech protected by the First Amendment has "the breathing space to survive," it has never wavered in its determination that falsehoods have no First Amendment value. *Id.* at 342. None of the Court's protective doctrines interfere with the plaintiffs' claims in this case.

20. This lawsuit is about holding Jones and the other defendants accountable for the effects of their outrageous, malicious, and deeply hurtful lies.

PARTIES

21. The plaintiffs are the immediate family of four children and two educators killed at Sandy Hook Elementary School, in Newtown, Connecticut, on December 14, 2012, as well as one first-responder to the scene.

22. Plaintiffs Jacqueline Barden and Mark Barden are the parents of murdered first-grader Daniel Barden, who was seven years old at his death on December 14, 2012. They reside in Fairfield County, Connecticut.

23. Plaintiffs Nicole Hockley and Ian Hockley are the parents of murdered first-grader Dylan Hockley, who was six years old at his death on December 14, 2012. They reside in Fairfield County, Connecticut.

24. Plaintiffs Francine Wheeler and David Wheeler are the parents of murdered first-grader Benjamin Wheeler, who was six years old at his death on December 14, 2012. They reside in Fairfield County, Connecticut.

25. Plaintiffs Jennifer Hensel and Jeremy Richman are the parents of murdered first-grader Avielle Richman, who was six years old at her death on December 14, 2012. They reside in Fairfield County, Connecticut.

26. Plaintiffs Donna Soto is the mother, and Carlee Soto-Parisi, Carlos M. Soto, and Jillian Soto are the siblings, of murdered first-grade teacher Victoria Leigh Soto, who was 27 years old when she died shielding her students from Adam Lanza's murderous rampage at Sandy Hook Elementary School on December 14, 2012. They reside in Fairfield County, Connecticut.

27. Plaintiff Erica Lafferty is the daughter of Dawn Hochsprung, the principal of Sandy Hook Elementary School on December 14, 2012. Dawn died that day trying to save her students from Adam Lanza's murderous rampage. Erica resides in Litchfield County, Connecticut.

28. Plaintiff William Aldenberg was a first responder to Sandy Hook Elementary School on December 14, 2012, and was depicted in iconic photographs and video footage from those events. He has been antagonized by some of the defendants and their followers, who claim that he is a crisis actor. He resides in Worcester County, Massachusetts.

29. The defendants are out-of-state business entities and individuals residing in Connecticut, Texas, and Florida.

30. Defendant Alex Emric Jones ("Alex Jones" or "Jones") is a radio and internet personality who holds himself out as a journalist and is a resident of Austin, Texas. He is the host of shows including "The Alex Jones Show," and owns and operates the websites Infowars.com

and PrisonPlanet.com. Jones's shows have millions of weekly listeners and are syndicated on approximately 60 radio stations.

31. Defendant Infowars, LLC ("Infowars") is a Texas limited liability company that produces and broadcasts Alex Jones' Infowars, which holds itself out as a news and journalism platform. Its principal offices are located at 100 Congress Avenue, 22nd Floor, Austin, Texas 78701.

32. Defendant Free Speech Systems, LLC is a Texas limited liability company. It owns Infowars.com. Its principal offices are located at 100 Congress Avenue, 22nd Floor, Austin, Texas 78701.

33. Defendant Infowars Health LLC is a Texas limited liability company. Its principal offices are located at 100 Congress Avenue, 22nd Floor, Austin, Texas 78701.

34. Defendant Prison Planet TV LLC is a Texas limited liability company. Its principal offices are located at 100 Congress Avenue, 22nd Floor, Austin, Texas 78701.

35. All the above-mentioned Texas business-entity defendants are owned, controlled, and/or operated by defendant Alex Jones and are employed to hold and generate revenue for him. They and Jones shall hereinafter be referred to collectively as "the Jones defendants."

36. Defendant Wolfgang Halbig holds himself out as a journalist and investigator and resides in Sorrento, Florida. He is the creator and operator of the defamatory and predatory websites SandyHookJustice.com and MonteFrank.com.

37. Defendant Cory T. Sklanka holds himself out as a journalist and investigator and resides in Meriden, Connecticut. He has worked closely with Halbig in Halbig's Sandy Hook "investigative" work, including acting as driver and camera operator when Halbig has visited Connecticut to conduct those activities, and, on information and belief, participating in the operation of SandyHookJustice.com and co-hosting Sandy Hook Justice broadcasts.

38. Defendant Genesis Communications Network, Inc., is a privately held company incorporated in Minnesota. It distributes radio programs produced by Alex Jones and Infowars, and was founded by Ted Anderson, who has appeared many times on Jones's shows, to promote his other business, defendant Midas Resources.³ Its principal offices are located at 190 Cobblestone Lane, Burnsville, Minnesota, 55337.

39. Defendant Midas Resources, Inc., is a privately held company incorporated in Minnesota. Its principal offices are located at 190 Cobblestone Lane, Burnsville, Minnesota, 55337. It has sold precious metals, dietary supplements, and other items as advertised by and in cooperation with defendant Genesis Communications and the Jones defendants.⁴

³ <https://www.youtube.com/watch?v=M-aQntV8meQ>; Nate Blakeslee, *Alex Jones Is About to Explode*, TEX. MONTHLY (Mar. 2010) <https://www.texasmonthly.com/politics/alex-jones-is-about-to-explode/>.

⁴ *Id.*

THE DEFENDANTS' KNOWLEDGE, ASPIRATIONS, AND INFLUENCE

40. Jones has a radio audience of more than two million people. The Alex Jones Show is syndicated on more than 60 radio stations. On the internet, Jones and Infowars reach millions more. Jones's YouTube channel has more than 2.3 million subscribers.

41. Jones has repeatedly expressly stated that he aspires to spur his followers to action, and has acknowledged that his exhortations have that effect. This is especially true with regard to the Sandy Hook shooting.

42. For instance, on June 12, 2017, The Alex Jones Channel posted a video. Speaking of his interview with Megyn Kelly on NBC and specifically about Sandy Hook, Jones stated, "That's why you keep missing the main calculation. I am a precision-guided heavy munition coming in on top of you So I hit the barbed wire, and everyone comes in over me. Have you seen what we've done how talk radio now sounds just like me Have you seen how the whole paradigm is globally shifting and you can't hold it back?"

43. Later in the video, Jones stated, "I'm making it safe for everyone else to speak out just like Trump's doing, on a much bigger scale."

44. Jones has not just attempted to give his followers permission to question reality. He also has specifically urged them to action.

45. His followers have shown themselves ready to comply.

46. On November 27, 2016, for instance, Jones spoke at length about "Pizzagate," a baseless conspiracy theory alleging that Democratic operatives were running a child-sex ring out of a Washington, D.C. pizza restaurant. He urged his followers to "investigate" the matter.

47. "You have to go investigate it for yourself," he told them. "But I will warn you, this story that's been the biggest thing on the internet for several weeks, Pizzagate as it's called, is a rabbit hole that is horrifying to go down Something's going on. Something's being covered up. This needs to be investigated."

48. Jones's followers came running to his call, as he knew they would.

49. The pizzeria received hundreds of threats. Its owner told *The New York Times*, "[W]e've come under constant assault. I've done nothing for days but try to clean this up and protect my staff and friends from being terrorized."

50. The owner and staff, along with some of their families, were harassed on social media websites. The owner received death threats. Even musical groups that had performed at the pizzeria and nearby businesses were harassed.

51. On December 4, 2016, Edgar Maddison Welch, a self-described Alex Jones follower, drove from Salisbury, North Carolina, to Washington, D.C., and fired three rounds into the pizzeria with an AR-15-style rifle.

52. Welch told police that his objective was to “self-investigate” the Pizzagate conspiracy theory. In fact, just days before embarking on his violent “self-investigation,” Welch urged a friend to watch “PIZZAGATE: The Bigger Picture,” an Infowars video.

53. Shortly thereafter, Jones removed his November 27, 2016 video and scrubbed references to his advocacy of the Pizzagate conspiracy theory.

54. Similarly, many of the persons who have directly harassed or abused Sandy Hook families have been motivated by Jones’s urging that his listeners “investigate.”

55. In 2017, a Florida woman was sentenced to prison for threatening the father of a child killed at Sandy Hook.

56. She made four voicemail and email threats to the father, with statements like “you gonna die, death is coming to you real soon” and “LOOK BEHIND YOU IT IS DEATH.”

57. The woman’s defense lawyer stated that she was primarily motivated by what she had read and seen on Infowars.com, Jones’s website.

58. On numerous occasions, Jones has hosted on his show Wolfgang Halbig, a self-styled investigator who is amongst the most prominent of those people who falsely claim that the Sandy Hook shooting was a hoax.

59. Halbig is a 70-year-old former police officer and school administrator living in Florida. He has made more than 22 trips to Connecticut relating to the allegations of this Complaint, including delivering highly confrontational testimony before the Newtown Board of Education, and was warned by police that he would be charged with harassment unless he ceased contacting Newtown residents.

60. Defendant Sklanka has facilitated Halbig’s harassing and defamatory activities in Connecticut. He has acted as Halbig’s driver, camera operator, helped Halbig operate his website, and co-hosted broadcasts asserting that the Sandy Hook shooting was a hoax. On information and belief, Sklanka assisted and was present with Halbig when he filmed and harassed children families at the St. Rose of Lima church in Newtown, Connecticut on June 2, 2015.

61. Kevin Laprade, an Infowars videographer, accompanied Halbig on at least some of his “investigative” trips to Connecticut.⁵

⁵ <https://www.facebook.com/mert.melfa/videos/539807396217619/>.

62. Halbig has filed numerous Freedom of Information Act requests over the years since the shooting, seeking police documents, insurance claims, portable toilet orders, and other types of information.

63. Halbig has raised more than \$100,000, largely on GoFundMe.com, for his activities.

64. Tiffany Moser helped Halbig search Newtown Board of Education documents for evidence that the school was closed before the shooting. When she reported that all the evidence indicated that the school had been open, Halbig dismissed her.

65. Halbig was banned from St. Rose of Lima, a Newtown church, after he and others were seen videotaping children entering and exiting the building. On information and belief, Sklanka participated in this venture.

66. In May 2014, Halbig spoke at a public meeting of the Newtown Board of Education, in Newtown, Connecticut.

67. After the meeting, Leonard Pozner emailed Halbig, seeking to persuade him to leave the Sandy Hook families alone. Halbig never responded, but another person did. He stated: "Wolfgang does not wish to speak with you unless you exhume Noah's body and prove to the world you lost your son."

68. Halbig's activities were well known when he first appeared on the Alex Jones Radio Show, and throughout the times during which Jones hosted his appearances; in fact, Jones invited and hosted him on his show, time and again, precisely because of his activities.

69. On his show, Jones expressly encouraged Halbig to continue these activities on numerous occasions.

70. During that broadcast of the Alex Jones Radio Show, Jones repeatedly advertised Halbig's website, sandyhookjustice.com.

71. Halbig's website made numerous false, outrageous, and defamatory statements about the plaintiffs.

- A. For instance, the website accused Jeremy Richman, father of Avielle Richman, who was murdered at Sandy Hook Elementary School on December 14, 2012, of having fabricated his daughter's identity and faked her death "to steal money from hard-working Americans." Those false and outrageous accusations were accompanied by pictures of Jeremy, Avielle, and an unrelated Newtown child.
- B. Halbig's website further stated that "Jeremy Richman & Jennifer Hensel continue to deceive and defraud the American public and collect donations for The Avielle Foundation, for Avielle Richman claiming she is dead, when in

reality, she is alive and was never their daughter.” It further stated: “The corruption, fraud, and treason must stop, especially at the Bridgeport, Connecticut Law Firm of Pullman & Comley LLC, managers of the My Sandy Hook Family Fund, actively engaging in FRAUD by soliciting donations from the public for a murder victim who is still alive.”⁶

- C. Halbig’s website contained links to numerous Infowars and/or Alex Jones videos claiming that the Sandy Hook shooting was a hoax, as well as videos that contained imagery and the names of some of the plaintiffs’ children.⁷
- D. It also published images, text, and video asserting that plaintiffs William Aldenberg and David Wheeler are in fact the same person, who is a crisis actor.
- E. Faced with invasion-of-privacy lawsuits, Halbig took down his website in August 2016. However, he has continued to publish false, malicious, and defamatory statements regarding the Sandy Hook shooting and its victims continually through Facebook, email, and various radio and internet media outlets.

72. Halbig has also published Facebook posts containing images and text asserting that plaintiffs William Aldenberg and David Wheeler are in fact the same person, and that person is a crisis actor.⁸ His Facebook page continues to display those publications.

73. Jones was aware that Halbig had published such statements through his website and other outlets. In fact, Jones brought Halbig onto his shows for the very purpose of eliciting and publishing such statements.

74. In addition to hosting Halbig on his show time and again, Jones specifically directed and encouraged Halbig to continue his Sandy-Hook-related activities in Connecticut. Jones and other Infowars personnel specifically solicited that their audience contribute funds to Halbig so that he could continue his efforts.

75. In fact, Jones and Infowars sent Infowars personnel to Connecticut to conduct live “reporting” on Halbig’s activities and publish his false, defamatory, and outrageous accusations about the plaintiffs.

⁶ <https://web.archive.org/web/20160322115755/http://sandyhookjusticereport.com:80/monte-frank/avielle-richman-1-20-students-supposedly-died-sandy-hook-school-shooting-verified-28-year-veteran-forensic-expert-witness-girl-photos-lenie-urbina/>.

⁷ <https://web.archive.org/web/20150731014342/http://www.sandyhookjustice.com:80/>.

⁸ See, e.g., <https://www.facebook.com/wolfgang.halbig.1/posts/196562527355324>;
<https://www.facebook.com/wolfgang.halbig.1/posts/195439914134252>.
<https://www.facebook.com/photo.php?fbid=196561627355414&set=pb.100010047343967.-2207520000.1526661423.&type=3&theater>.

76. For instance, on May 29, 2015, The Alex Jones Channel published an Infowars video, now posted on YouTube with the title “School Administrator Exposes Sandy Hook Stonewall.”⁹

77. The video was introduced by David Knight. The video then cut to Dan Bidondi, an Infowars reporter, who was reporting from Halbig’s Freedom of Information Act hearing in Hartford, Connecticut.

78. Infowars reporter Dan Bidondi had traveled to Hartford, CT to “report” on this hearing on behalf of Infowars and Alex Jones.

79. On information and belief, other Infowars employees, apparent agents, and/or agents, including videographer Kevin Laprade,¹⁰ traveled to and were located in Hartford, Connecticut, for the creation of this video.

80. Sklanka acted as Halbig’s driver, and actively facilitated his appearance on Infowars.¹¹

81. On July 7, 2015, The Alex Jones Show broadcast a video now posted on YouTube with the title “Retired FBI Agent Investigates Sandy Hook: MEGA MASSIVE COVER UP.”¹²

82. Jones noted, referring to the May 29, 2015 video, “I knew that we’d sent a reporter, Dan Bidondi, there for days, to cover the city council hearings about it, the fact that they’re sealing everything.”¹³

83. Jones and Infowars purposefully sought to direct their message and spur “investigation” of the Sandy Hook families and the Newtown, Connecticut community in other ways, as well. For example, Jones took calls from listeners who called claiming to live close to Newtown, Connecticut, and encouraged them to continue their “investigations.”¹⁴

84. Jones and the rest of the Jones defendants acted together to develop, disseminate, and propagate the false statements described in this Complaint.

85. Similarly, Sklanka and Halbig acted together, and they both acted together with the Jones defendants, to develop, disseminate, and propagate many of the false statements described in this Complaint.

⁹ <https://www.youtube.com/watch?v=SO8Xb-t4nT4>.

¹⁰ <https://www.facebook.com/photo.php?fbid=10209638407182257&set=a.3495510351748.2134051.1391267684&type=3&theater>.

¹¹ https://www.youtube.com/watch?v=4_2FznkfcBU.

¹² <https://www.mediamatters.org/embed/clips/2016/11/29/51284/gcn-alexjones-20150707-shooting;https://www.youtube.com/watch?v=8YV1eWq8YSc>.

¹³ <https://www.youtube.com/watch?v=jCOe3qIgyFA>.

¹⁴ https://www.youtube.com/watch?v=TGCfi_ot0CU.

86. Jones and other Infowars personnel mentioned in this Complaint were at all relevant times servants, agents, apparent agents, employees, and/or joint venturers of the Jones defendants.

87. Defendant Halbig was at all relevant times a servant, agent, apparent agent, employee, and/or joint venturer of the Jones defendants.

88. Defendant Sklanka was at all relevant times a servant, agent, apparent agent, employee, and/or joint venturer of Halbig and the Jones defendants.

89. Defendants GENESIS COMMUNICATIONS and MIDAS RESOURCES both participated in this conspiracy and independently distributed the publications contained in this Complaint.

THE DEFENDANTS' SANDY-HOOK-BASED BUSINESS MODEL

90. The Jones defendants and their co-conspirators' conduct is based on a simple motive: greed. The defendants' business model is based on their fabrication, propagation, and amplification of conspiracy-minded falsehoods like those about Sandy Hook. It is a very lucrative business model.

91. The Jones defendants have developed and cultivated an audience through the propagation of narratives revolving around paranoia, social anxiety, and political discord, a known motivator for some people.¹⁵

92. The false claim that the Sandy Hook shooting was a government-sponsored hoax designed to lead to gun control was therefore a prime narrative for attracting, augmenting, and agitating Jones's audience.

93. Jones and his subordinates hold themselves out as trusted newsmen, assiduously assuming the paraphernalia and symbology of television and radio journalism. This is obvious to anyone watching or listening to Infowars content: the consciously deepened voice; the news-anchor's huge Lucite desk; the shuffling of papers; the clipped news-anchor's diction and regular tone modulation; the title-and-picture callouts by story; the breaking-news broadcast opening and transition graphics using Infowars logos; the regular references to Infowars "reporters" and "investigations."

94. Once he has their attention and trust, Jones exploits his audience by selling them products in line with the paranoid worldview he promotes. In his internet-based and broadcast radio shows, the Jones defendants hawk "open currency" precious metals, pre-packaged food and dietary supplements, "male enhancement" elixirs and radiation-defeating iodine tablets, gas

¹⁵ See generally Richard J. Hofstadler, *The Paranoid Style in American Politics, and Other Essays* (1964).

masks and body armor, and various customized AR-15 “lower receivers” (the extruded metal frame that encloses the breach, ammunition feed and firing mechanism of the rifle).¹⁶

95. According to non-parties Bankrate LLC and Celebrity Net Worth, in mid-2017, Alex Jones himself had a personal net worth of approximately \$10,000,000. According to non-party Worth of the Web, an Internet-based clearinghouse that brokers sales among existing websites and web-based businesses, Infowars.com is worth approximately \$68,000,000.

96. In May 2013, just six months after the Sandy Hook shootings, when his false narrative about those events was beginning to crescendo, an investigative reporter estimated that Alex Jones was making approximately \$10,000,000 annually, which excluded any additional revenue attributable to book and DVD sales, remunerated speaking engagements and on-line merchandise sales, promotional tie-ins and royalties.¹⁷

97. In other words, the Jones defendants concoct elaborate and false paranoia-tinged conspiracy theories because it moves product and they make money. Jones and his subordinates say what they say not because they are eager to educate or even to entertain their audience. Rather, they deliberately stoke social anxiety and political discord in their listeners, because distrust in government and cultural tribalism motivate those listeners to buy their products.

98. News reports confirm that Jones and his business entities engage in the kind of conduct described in this Complaint not because they truly believe what they are saying, but rather because it increases profits.

99. Former employees described “money-bomb fundraisers” that raised \$100,000 in a day (for a for-profit entity), and programming being chosen based on its “being sensational and making money.” “People were just so taken by the information we’d been pushing they’d do anything,” one said.¹⁸

100. In fact, during the legal proceedings in which Jones sought custody of his three children, Jones’s own attorney argued that Jones’s two decades of activities were mere “performance art” and that “he’s playing a character.”¹⁹

¹⁶ <https://www.INFOWARSstore.com/gear/personal-protective-gear/victory-series-2-minuteman-limited-edition-80-lower-ar-receiver.html>.

¹⁷ Alex Seitz-Wald, *Alex Jones: Conspiracy, Inc.*, Salon (May 2, 2013).

¹⁸ Charlie Warzel, Alex Jones Will Never Stop Being Alex Jones, *Buzzfeed* (May 3, 2017), https://www.buzzfeed.com/charliewarzel/alex-jones-will-never-stop-being-alex-jones?utm_term=.yqXcXzdLEZ#.qewdqn0m2.

¹⁹ Corky Siemaszko, *InfoWars’ Alex Jones Is a ‘Performance Artist,’ His Lawyer Says in Divorce Hearing*, NBCNews (Apr. 17, 2017), <https://www.nbcnews.com/news/us-news/not-fake-news-infowars-alex-jones-performance-artist-n747491>.

THE CAMPAIGN OF ABUSE

101. Jones's and Infowars's campaign of abuse began only days after the plaintiffs lost their loved ones to Adam Lanza's murderous rampage.

102. On December 19, 2012, Infowars.com published an article entitled "FATHER OF SANDY HOOK VICTIM ASKS 'READ THE CARD?' SECONDS BEFORE TEAR-JERKING PRESS CONFERENCE."²⁰

103. That article alleges that Robbie Parker, father of six-year-old Emilie Parker, read off a card at a press conference the day after his daughter was killed. The article asked, "Is the establishment media trying to steer the victims' reactions?"

104. An embedded video was entitled: "Sandy Hook Shooting Exposed As a Fraud."

105. At the bottom of the article, a "Statement from Alex Jones" said, "It appears that members of the media or government have given him a card and are telling him what to say as they steer reaction to this event, so this needs to be looked into."

106. On January 8, 2013, Infowars.com published an article entitled: "COLLEGE PROFESSOR SAYS 'CRISIS ACTORS' MAY HAVE PLAYED PART IF SANDY HOOK WAS INDEED A HOAX."²¹

107. The article quoted James Tracy, a former Professor at Florida Atlantic University who has since been fired: "After such a harrowing event why are select would-be family members and students lingering in the area and repeatedly offering themselves for interviews? . . . A possible reason is that they are trained actors working under the direction of state and federal authorities and in coordination with cable and broadcast network talent to provide tailor-made crisis acting that realistically drives home the event's tragic features."

108. In the narratives and parlance of mass-shooting conspiracy theorists, "crisis actors" are actors employed by government agencies or other powerful actors to stage shootings, in which they play victims, witnesses, and bystanders.

109. The article is accompanied by an embedded video with the title "Sandy Hook Mass Media Psyop: Outtakes and Bloopers."

110. A reasonable person would understand these statements, including the title of the embedded video, to assert that the Sandy Hook massacre was staged, and that the plaintiffs fabricated the deaths of their loved ones.

²⁰ Infowars.com, *Father of Sandy Hook Victim Asks 'Read the Card?' Seconds Before Tear Jerking Press Conference*, Infowars (Dec. 19, 2012), <https://www.infowars.com/father-of-sandy-hook-victim-asks-read-the-card-seconds-before-tear-jerking-press-conference/>.

²¹ Infowars.com, *College Professor says 'Crisis Actors' May Have Played Part if Sandy Hook was Indeed a Hoax*, Infowars (Jan. 8, 2013), <https://www.infowars.com/college-professor-says-crisis-actors-may-have-played-part-if-sandy-hook-was-indeed-a-hoax/>.

January 27, 2013

111. On January 27, 2013, the Alex Jones Channel posted a video now advertised on YouTube under the title: “Why People Think Sandy Hook is A Hoax.”²² Just over a month had passed since the shooting at Sandy Hook.

112. Jones appeared in that video. During the video, he stated, “Now again, in the last month and a half, I have not come out and clearly said that this was a staged event. Unfortunately, evidence is beginning to come out that points more and more in that direction, and we’re going to show you that evidence in the moment. Now a lot of the tens of millions of video views on YouTube concerning the Sandy Hook hoax surround CNN, and what appears to be people who’ve been coached, people who have been given cue cards, people who are behaving like actors.”

113. Later in the video, Jones stated, “One of the big issues out there that has people asking questions is Robby Parker, who reportedly lost one of his daughters. And people see the photos out there where it looks like Obama’s meeting with all three of his children, and things like that. And, when you watch the footage, I know grieving parents do strange things, but it looks like he’s saying, ‘Okay, do I read off the card,’ he’s laughing, and then he goes over, and starts, um, breaking down and crying.”

114. Jones then played a video of Robby Parker making a statement the day after the shooting. Parker lost his daughter, Emilie, in the Sandy Hook shooting.

115. Under the video was a chyron with the words “Odd Parent Reaction from SandyHook [sic].”

116. As the video of Parker played, Jones commented over it. “I haven’t touched this,” he said. “All I know is they’re seizing on it. They staged fast and furious . . . that killed thousands, our government, to blame the Second Amendment, they’d stage anything.”

117. Later in the broadcast, Jones said, “This needs to be investigated. They’re clearly using this to go after our guns Something though, really, is starting to get suspicious here But the fact that this whole thing could be staged, it’s just mindblowing. Tell us what you think. Great job to all the people out there with the crowdsourcing, that are resourcing all these clips.”

118. A reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiffs fabricated the deaths of their loved ones.

119. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

March 2013

²² <https://www.youtube.com/watch?v=tM5ZdO-IgEE>.

120. On March 14, 2014, Jones stated, “We’ve clearly got people where it’s actors playing different parts of different people.”

121. He continued, “I’ve looked at it and undoubtedly there’s a cover up, there’s actors, they’re manipulating, they’ve been caught lying, and they were pre-planning before it and rolled out with it.”

122. The audience for these broadcasts has included hundreds of thousands, if not millions, of people.

May 27, 2013

123. On May 27, 2013, Dr. Steve Pieczenik appeared on the Alex Jones Radio Show in an episode advertised on YouTube under the title “Sandy Hook was A Total False Flag!”²³

124. During that appearance, Pieczenik stated, “Sandy Hook was a total false flag. There was no individual involved; there was no Asperger’s; there was no 24 kids who were killed.”

125. In the parlance and narratives of mass-shooting conspiracy theorists, “false flag” is the idea that a shooting or other attack was staged by the government or other powerful forces.

126. A reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiffs fabricated the deaths of their loved ones.

127. On information and belief, this episode was also broadcast through Jones’s radio affiliates.

128. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

May 13, 2014

129. On May 13, 2014, The Alex Jones Radio Show broadcast an episode advertised on YouTube under the title “Bombshell: Sandy Hook Massacre Was A DHS Illusion Says School Safety Expert.”²⁴

130. That day, Jones hosted Wolfgang Halbig.

131. During this video, Halbig stated: “I think the reason they’re not answering those questions ‘cause I think it’s going to expose their whole scam.”

²³ The Alex Jones Channel, *Dr. Steve Pieczenik: Sandy Hook was A Total False Flag!*, YouTube (Mar. 27, 2013), <https://www.youtube.com/watch?v=5EfyD7Wu5fQ&t=18s>.

²⁴ Alex Jones Channel, *Bombshell: Sandy Hook Massacre Was A DHS Illusion Says School Safety Expert*, YouTube (May 13, 2014), <https://www.youtube.com/watch?v=x2a1FwYEZS4>.

132. Jones asked Halbig, “What are the big smoking guns . . . what are the big red flags?”

133. Halbig responded, “The red flags is that you’re looking at \$29 million . . . and there are 39 other community nonprofit organizations within Newtown that received a lot of funds.”

134. Jones interjected: “You’re saying a motive for the locals to go along with the fraud is money.”

135. Later, Jones prompted Halbig, “What about the kids going in circles, back and forth, the same people, into the school for the helicopters; it looked like a fake drill . . . just go through those points.”

136. Jones summarized, stating, “The cover up is the prima facie proof of the larger crime, and that we’re being lied to.”

137. He continued, “The whole thing, you’ve got ‘em jumping gun . . . that Bloomberg was saying get ready the day before, get ready to fundraise on mass shootings . . . had a false start, didn’t you, Bloomy.”

138. Jones was asserting that former Mayor of New York City Michael Bloomberg knew about the shooting beforehand. The clear implication of this statement is that the shooting was “staged” and a hoax.

139. Halbig understood Jones. He responded, “Children did not die, teachers did not die, on December 14, 2012.”

140. Halbig further stated, “Alex, we’ve never had a time in our history, where Sandy Hook, a school massacre, the biggest illusion ever portrayed by Homeland Security and FEMA . . .”

141. During that show, Jones stated, in reference to the Sandy Hook shooting, “I mean it’s fake . . . it’s fake . . . you’ve got parents acting . . . it just is the fakest thing since the three-dollar bill.”

142. A reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiffs fabricated the deaths of their loved ones.

143. On information and belief, this episode was also broadcast through Jones’s radio affiliates.

144. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

September 25, 2014

145. On September 25, 2014, the Alex Jones Radio Show broadcast an episode advertised on YouTube under the title “FBI Says Nobody Killed at Sandy Hook Massacre.”²⁵

146. This assertion was a complete fabrication: the FBI had made no such statement.

147. During the September 25, 2014 broadcast of the Alex Jones Radio Show, Jones and Halbig asserted that FBI crime statistics showed that no one was killed at Sandy Hook.

148. This was a false statement. FBI crime statistics showed no such thing.

149. Jones stated that video from the day of the shooting showed that the same children were cycled in and out of the school and that no emergency helicopters were sent to the school, and were “clearly staged.”

150. Jones stated that two supposed former high-level national-defense officials had declared that Sandy Hook and the Boston bombing were faked.

151. Halbig asserted that “there were no trauma helicopters” sent to Newtown, that the other 600 children at the school could not be found, and that Sandy Hook Elementary School was “a toxic waste dump . . . the filthiest, most deplorable school . . . that I have ever seen.”

152. Jones asserted that the school was “a cut-out” used as a stage for the event.

153. Jones and Halbig both stated “I wish it was real instead of fake.”

154. Halbig stated that Connecticut state troopers “used they [sic] script,” that “it’s nothing but corruption in Connecticut,” and that 16 Connecticut state troopers lied under oath.

155. Halbig accused a company called Obsidian, located in Washington, D.C., of scripting well-known crises around the world, including Sandy Hook.

156. Halbig stated that “nobody died” at Sandy Hook. He stated that “they never allowed the paramedics or EMTs ever inside the school.”

157. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

158. On September 26, 2014, Infowars.com published an article by Adan Salazar entitled “SANDY HOOK INVESTIGATOR: CONNECTICUT PD HAD FBI FALSIFY CRIME STATISTICS.”

²⁵ <https://www.youtube.com/watch?v=N1RlZXvGy2s>. This video has since been removed “for violating YouTube’s policy on harassment and bullying,” but is now available at <https://www.youtube.com/watch?v=eqVqmFy4KW0>.

159. The article repeatedly quoted Wolfgang Halbig, who alleged that he had “discovered various anomalies which have led him to believe the entire incident was a contrived event.”

160. The article contained the following quote: “The American people need to wake up and listen to what these exercises are,” says Halbig. “A Homeland Security FEMA Capstone Exercise, it starts at the White House, at the president’s desk, goes all the way through Congress, through the Attorney General, down through the FBI, all the way down to the local government. It is a whole community event, and that’s what I think happened at Sandy Hook.”

161. The article quoted Halbig as saying that there was “a ‘script’ followed during the event.”

162. It quoted him again, saying, “I’m telling you nobody died [at Sandy Hook] . . . I’ve been a school administrator for 30 some odd years. When I have a child with a broken arm, or I’ve got a fight on the school bus, or a child’s been stabbed or shot, the first thing we get ready for are lawsuits. Alex, if there would have been just 2 or 3 lawsuits filed by the parents or loved ones who lost someone that day at Sandy Hook, I’d go away.”

163. A reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiffs fabricated the deaths of their loved ones.

164. On information and belief, the article has been viewed by hundreds of thousands of persons.

December 12, 2014

165. On December 12, 2014, Infowars Nightly News broadcast an episode now advertised on YouTube under the title “The Ultimate Sandy Hook Debate As The 2nd Anniversary Looms.”²⁶

166. The episode consisted of a debate between Keith Johnson (a self-described conspiracy theorist with americanfreepress.net) and Halbig, about Sandy Hook, moderated by an Infowars personality named Rob Dew.

167. During that broadcast, Halbig asserted that Sandy Hook Elementary School had been used as a toxic waste dump before December 14, 2012, and therefore no shooting took place there.

168. Halbig stated, “On behalf of Dawn Hochsprung, who supposedly was the principal and was shot [in the massacre] . . . I can tell you this with certainty: Dawn Hochsprung would never, ever, in her life, have allowed her school . . . to look so filthy and so deplorable . . . she would have never . . . allowed her school to become a toxic waste dump exposing every one

²⁶ The Alex Jones Channel, *The Ultimate Sandy Hook Debate As The 2nd Anniversary Looms*, YouTube (Dec. 12, 2014), <https://www.youtube.com/watch?v=6aK0P-WxjU8>.

of her children and school staff members to serious lifelong health risks The doors are rotten, they're filthy . . . there's mildew."

169. A reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiffs fabricated the deaths of their loved ones.

170. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

December 28, 2014

171. On December 28, 2014, during The Alex Jones Radio Show, Jones took a call from Kevin, a listener who called in claiming to live close to Newtown, Connecticut.²⁷

172. Kevin said, "I'm calling about Sandy Hook. My take on it is . . . The whole thing is pretty much the next step in reality TV, because with other false flags, like 9/11 or Oklahoma City, or the Boston bombing, at least something happened. With Sandy Hook, there's no there there. You've got a bunch of people walking around a parking lot, pretty much what it comes down to."

173. Jones interrupted Kevin. "No, no, I've had the investigators on, the state police have gone public, you name it," he said. "The whole thing is a giant hoax. And the problem is, how do you deal with a total hoax? How do you even convince the public something's a total hoax?"

174. Kevin responded, "I always tell people the same thing: go out and prove the official story. And . . . I know the millisecond this happened, with that now-fake picture of the kids being led out of the school, that there's nothing that's going to sell this agenda like dead elementary school kids."

175. Jones interrupted Kevin again. "The general public doesn't know the school was actually closed the year before," he said. "They don't know they've sealed it all, demolished the building. They don't know that they had the kids going in circles in and out of the building as a photo-op. Blue screen, green screens, they got caught using."

176. Jones continued, "People just instinctively know that there's a lot of fraud going on. But it took me about a year with Sandy Hook to come to grips with the fact that the whole thing was fake. I mean, even I couldn't believe it. I knew they jumped on it, used the crisis, hyped it up. But then I did deep research—and my gosh, it just pretty much didn't happen."

177. A reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiffs fabricated the deaths of their loved ones.

178. On information and belief, this episode was also broadcast through Jones's radio affiliates.

²⁷ https://www.youtube.com/watch?v=TGCFi_ot0CU.

179. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

January 2, 2015

180. On January 2, 2015, Infowars.com published an article by Adan Salazar entitled “MYSTERY: SANDY HOOK VICTIM DIES (AGAIN) IN PAKISTAN.”

181. The article alleged that the “face . . . one of the children supposedly killed in the December 2012 Sandy Hook shooting in Newtown, Connecticut” had “without explanation . . . appeared in multiple photos and reports” related to an attack conducted by the Pakistani Taliban on a Pakistan Army school on December 16, 2015.

182. “Can the photo’s misuse simply be brushed off as another bumbling Google image search mistake?” the article stated. “Or could it be willful subterfuge aimed at poking fun at those who question the validity of the Sandy Hook event?”

183. The pictures used were images of Noah Pozner.

184. Upon information and belief, hundreds of thousands of people have viewed this article.

January 13, 2015

185. On January 13, 2015, during a broadcast of The Alex Jones Radio Show, Jones said, “Yeah, so, Sandy Hook is a synthetic completely fake with actors, in my view, manufactured. I couldn’t believe it at first. I knew they had actors there, clearly, but I thought they killed some real kids. And it just shows how bold they are, that they clearly used actors. I mean they even ended up using photos of kids killed in mass shootings here in a fake mass shooting in Turkey—so yeah, or Pakistan. The sky is now the limit. I appreciate your call.”²⁸

186. A reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiffs fabricated the deaths of their loved ones.

187. On information and belief, this episode was also broadcast through Jones’s radio affiliates.

188. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

²⁸ <https://www.youtube.com/watch?v=Ap-DvMoiMOY>.

March 4, 2015

189. On March 4, 2015, The Alex Jones Radio Show broadcast an episode now advertised on YouTube under the title “New Bombshell Sandy Hook Information In-Bound.”²⁹

190. Jones hosted Halbig on that episode.

191. During the broadcast, Jones asked Halbig to explain why Sandy Hook was “completely phony.”

192. Halbig stated the school was not in operation at the time of the shooting.

193. Jones stated that the school was suddenly reopened, received a “falling report” [sic], and did not look like a real school.

194. Halbig stated that it was the “most filthiest [sic] most deplorable school” and “loaded with lead paint . . . asbestos . . . PCP.”

195. Halbig stated that trauma helicopters were not called and that paramedics were not allowed to enter the school.

196. Jones stated, “I’m saying it was a drill, a giant piece of theater, did they really kill some kids? I don’t know.”

197. Referring to video of parents of children killed in the shooting, Jones stated that “they . . . bring in actors to break down and cry. . . used the same actors as different people.”

198. Both Jones and Halbig stated that Connecticut police ate lunch inside the school the day of the shooting.

199. Halbig encouraged listeners to contact the Newtown school board and ask them his questions.

200. A reasonable person would understand Jones’s and Halbig’s statements to assert that the Sandy Hook massacre was staged, and that the plaintiffs fabricated the deaths of their loved ones.

201. On information and belief, this episode was also broadcast through Jones’s radio affiliates.

202. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

²⁹ <https://www.youtube.com/watch?v=7ib5WkULBY>.

May 28, 2015

203. On May 28, 2015, Infowars Nightly News broadcast an episode now advertised on YouTube under the title: “Sandy Hook: The Lies Keep Growing.”³⁰

204. David Knight hosted Halbig on Infowars Nightly News.

205. Halbig accused Newtown police chief Mike Kehoe of committing perjury.

206. Halbig once again appeared, and stated that the school was unsanitary and unsafe.

207. Halbig’s website was repeatedly advertised and listeners were encouraged to support him financially.

208. A reasonable person would understand Halbig’s statements to assert that the Sandy Hook massacre was staged, and that the plaintiffs fabricated the deaths of their loved ones.

209. On information and belief, this episode was also broadcast through Jones’s radio affiliates.

210. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

May 29, 2015

211. On May 29, 2015, The Alex Jones Channel published an Infowars video, now posted on YouTube with the title “School Administrator Exposes Sandy Hook Stonewall.”³¹

212. The video was introduced by David Knight. The video then cut to Dan Bidondi, an Infowars reporter, who was reporting from Wolfgang’s Freedom of Information Act hearing in Hartford, Connecticut.

213. The video cut back and forth between excerpts from the hearing and interviews of Halbig by Bidondi in the hallway outside the hearing room.

214. Infowars reporter Dan Bidondi traveled to Hartford, CT to report on this hearing on behalf of Infowars and Alex Jones.

215. On information and belief, other Infowars agents, including the person doing the video recording, traveled to and were located in Hartford, Connecticut, for the creation of this video.

³⁰ <https://www.youtube.com/watch?v=Ml3KVj2nVRA>.

³¹ <https://www.youtube.com/watch?v=SO8Xb-t4nT4>.

216. Later on May 29, 2015, the Alex Jones Channel published another Infowars video on YouTube, entitled “New Sandy Hook Questions Arise from FOIA Hearing.”³² The video featured David Knight interviewing Wolfgang Halbig by streaming video.

217. During the interview, Halbig stated that Sandy Hook Elementary School was “a toxic waste dump . . . and yet, we have parents who would allow their children to attend that type of a school? I don’t believe so. And if they did, those parents are negligent for putting their children at risk.”

218. Halbig was clearly suggesting that the school was empty on the day of the shooting, and therefore that the shooting did not happen—and that the Sandy Hook parents are lying about their children’s deaths.

219. On information and belief, these statements were heard by hundreds of thousands, if not millions, of people.

July 7, 2015

220. On July 7, 2015, The Alex Jones Radio Show broadcast a video now posted on YouTube with the title “Retired FBI Agent Investigates Sandy Hook: MEGA MASSIVE COVER UP.”³³

221. Jones noted, referring to the May 29, 2015 video, “I knew that we’d sent a reporter Dan Bidondi there for days, to cover the city council hearings about it, the fact that they’re sealing everything.”³⁴

222. “[T]he more we look at Sandy Hook,” he said, “I don’t want to believe it’s a false flag. I don’t know if kids really got killed, but you’ve got green screen with Anderson Cooper . . . and then his nose disappears. It’s fake! The whole thing, it’s—I don’t know what happened.”

223. He continued, “It’s kind of, you see a hologram at Disney World in the haunted house, I don’t know how they do it, it’s not real. When you take your kids to the haunted house and there are ghosts flying around, it’s not real, it’s staged . . . I don’t know what the trick is here, I got a good suspicion. But when you’ve got Wolfgang Halbig . . . he went and investigated, no paperwork, no nothing, it’s bull.”

224. Later, Jones stated, “But what about how for a mass shooting in Pakistan, they got photos of Sandy Hook kids,” and referring to an Infowars article, stated, “it’s like the same P.R. company is running this . . . and then they try to hit us with fake copyright deals whenever we show this.”

³² <https://www.youtube.com/watch?v=5cll79t7Mrw>.

³³ <https://www.mediamatters.org/embed/clips/2016/11/29/51284/gcn-alexjones-20150707-shooting;>
<https://www.youtube.com/watch?v=8YVleWq8YSc>.

³⁴ <https://www.youtube.com/watch?v=jCOe3qIgyFA>.

225. Jones put the article on the screen and read the headline: “Mystery: Sandy Hook Victim Dies (Again) in Pakistan.”

226. A reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiffs fabricated the deaths of their loved ones.

227. On information and belief, this episode was also broadcast through Jones’s radio affiliates.

228. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

November 17, 2016

229. On November 17, 2016, the Alex Jones Show broadcast an episode in which Alex Jones claimed that he had never claimed that Sandy Hook was a hoax. Almost immediately thereafter, he rehearsed a number of his common arguments that Sandy Hook was a hoax.

230. These included that “Anderson Cooper is using a green screen, his nose disappears”; “they have kids going in circles back into the buildings”; “the building was closed years before”; “it was filthy”; “no emergency helicopters were launched”; and “they’re sealing the death certificates and everything.”

231. Jones continued, “we’ve sent reporters up there, man, and that place is like *Children of the Corn* or something. I mean it is freaking weird.”

232. Jones further referenced “weird videos of reported parents of kids laughing and then all of a sudden they do the hyperventilating to cry to go on TV,” suggesting that parents of children killed at Sandy Hook were acting.³⁵

233. A reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiffs fabricated the deaths of their loved ones.

234. On information and belief, this episode was also broadcast through Jones’s radio affiliates.

235. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

November 18, 2016

236. On November 18, 2016, Jones broadcast a video now advertised on YouTube under the title, “Alex Jones Final Statement on Sandy Hook.”³⁶

³⁵ <https://www.youtube.com/watch?v=KxwnPqwxeag>; <https://www.mediamatters.org/blog/2016/11/17/trump-ally-alex-jones-doubles-down-sandy-hook-conspiracy-theories/214524>.

³⁶ <https://www.youtube.com/watch?v=MwudDfz1yAk>.

237. During that video, Jones stated, “I want to reach out to my listeners as well and just clarify where I stand on the reported tragedy at Sandy Hook that took place at that elementary school.”

238. He continued: “For the last three or four years, it’s been mainstream media’s number-one attack against me to say that I said there was never anyone that actually died there. I’ve hosted debates against both sides, and I’ve been criticized by both sides—people that say that no one died there and people who say that the official story is exactly as we’ve been told. And I’ve always said that I’m not sure about what really happened, that there’s a lot of anomalies and there has been a cover-up of whatever did happen there.”

239. He stated: “There’s a few clips Hillary used in her campaign of me out of context saying I can see how people that look at all this evidence say no kids died there and this whole thing is a giant hoax, but at the same time there is some evidence that people died there. They take that out of context and misrepresent it. That’s why they’re the deceptive corporate media. But for those who do have an attention span for, say, 10 minutes or so, I will present to you the questions. And I’m going to be quite frank, I don’t know what really happened. I know there are real mass shootings. I know people lose children. I’m a father. It hurts my heart. So I don’t know what the truth is. All I know is the official story of Sandy Hook has more holes in it than Swiss cheese.”

240. Jones rehearsed several of his most commonly employed arguments that the Sandy Hook shooting was staged, including that Anderson Cooper was standing in front of “a blue screen or a green screen,” that video was “looped,” and that “one of the reported fathers of the victims . . . [was] doing classic acting training.”

241. In closing, Jones said, “This is a tragedy. I wish it never would have happened. But quite frankly, I wish that the official story was true because that’s a lot less scary than them staging something like this. But when you think about how they staged [weapons of mass destruction] to kill over a million Iraqis, when you think about all the other hoaxes, all the other lies, all the other rigging, and the way they’re freaking out about it and trying to cover up every level of it, it just makes me ask what really happened there?”

242. The clear implication of these statements is that the accepted account of Sandy Hook—that the plaintiffs lost their loved ones in the shooting—is false, and that the plaintiffs have fabricated their loved ones’ deaths.

243. On information and belief, this episode was also broadcast through Jones’s radio affiliates.

244. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

November 28, 2016

245. On November 11, 2016, plaintiff Erica Lafferty published an op-ed in USA Today asking President-Elect Trump to disavow Alex Jones and other people who falsely assert that the Sandy Hook shooting was a hoax.³⁷

246. In response to the open letter, Infowars broadcasted a five-minute rant by Owen Shroyer, an Infowars “reporter,” defending Jones and attacking Lafferty.³⁸

247. Shroyer directly addressed Lafferty, stating, “Your logic [about gun control] failed your mother.”

248. Shroyer directly addressed Lafferty, accusing her of saying, “without any proof,” that Alex Jones had said that Sandy Hook was a hoax.

249. Shroyer stated, “[Jones is] not the one who’s denying Sandy Hook ever happened.”

250. These statements were obviously untrue: Alex Jones has denied many times that Sandy Hook ever happened.

251. Shroyer stated falsely that Lafferty had asserted that then-President-Elect Trump needed to face the death of a loved one.

252. This statement falsely described Lafferty’s appeal to sympathy as if it were a threat on the family of the President-Elect of the United States.

253. Shroyer repeatedly cited Halbig, saying that he has “done the best reporting” on the Sandy Hook shooting.

254. He stated to Lafferty, “Why are you butting heads with people [Jones and Halbig] that want to find out the truth of what happened to your mother?”

255. The truth about Lafferty’s mother, Dawn Hochsprung, is that she is dead.

256. Dawn Hochsprung is dead because, on the morning of December 14, 2012, she sacrificed her life trying to save her students from Adam Lanza’s murderous rampage at Sandy Hook Elementary School.

³⁷ Erica Lafferty, *Mr. Trump, denounce Alex Jones : Sandy Hook Principal’s Daughter*, USA Today (Nov. 25, 2016), <https://www.usatoday.com/story/opinion/2016/11/25/donald-trump-sandy-hook-alex-jones-column/94335420/>.

³⁸ <https://www.youtube.com/watch?v=9PdrIrSCLu0>.

March 8, 2017

257. On the March 8, 2017 edition of The Alex Jones Show, Jones hosted Eddie Bravo.

258. During the interview, Bravo stated, “Dr. Steve Pieczenik, and you got some heat for this, this is kind of changing the subject a little bit. Dr. Steve Pieczenik, on your show, said that no kids died at Sandy Hook, that it was a homeland security drill that they passed off as a real—”

259. Jones stated, “He says that. And I’ve been hit really hard with it. I can’t prove it one way or the other. I know Anderson Cooper is standing up there and turns and his whole nose disappears. I work in TV, I know what a blue screen is, bro.”

260. A reasonable person would understand Jones and Bravo to have been stating that the Sandy Hook massacre was faked, and that the plaintiffs participated in a fraud that was based on lying about the deaths of their loved ones.

261. On information and belief, this episode was also broadcast through Jones’s radio affiliates.

262. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

April 22, 2017

263. On April 22, 2017, the Alex Jones Show broadcast an episode, also released on YouTube, entitled “Sandy Hook Vampires Exposed.”³⁹

264. During that episode, Jones showed video footage of an interview between one of the Sandy Hook parents and Anderson Cooper. Over this footage, Mr. Jones stated: “And then we’ve got Anderson Cooper, famously, not just with the flowers blowing and a fake, but when he turns, his nose disappears repeatedly because the green-screen isn’t set right. And they don’t like to do live feeds because somebody might run up. CNN did that in the Gulf War and admitted it. They just got caught two weeks ago doing it in supposedly Syria. And all we’re saying is, if these are known liars that lied about WMDs, and lied to get us in all these wars, and backed the Arab Spring, and Libya, and Syria, and Egypt, and everywhere else to overthrow governments, and put in radical Islamicists [sic], if they do that and have blood on their hands, and lied about the Iraq War, and were for the sanctions that killed half a million kids, and let the Islamicists [sic] attack Serbia, and lied about Serbia launching the attack, when it all came out later that Serbia didn’t do it, how could you believe any of it if you have a memory? If you’re not Dory from ‘Finding Dory,’ you know, the Disney movie. Thank god you’re so stupid, thank god you have no memory. It all goes back to that.”

265. Jones told his audience that they should not “believe any of it.”

³⁹ <https://www.youtube.com/watch?v=rUnIjKhWTXI>.

266. As discussed throughout this complaint, the “faked” Anderson Cooper interview is one of Jones’s favorite arguments that the entire Sandy Hook massacre was fabricated and that the plaintiffs were actors who faked their loved ones’ deaths.

267. During the April 22, 2017 broadcast, Jones and an Infowars producer made other statements rehearsing familiar themes from the defendants’ campaign of lies and abuse.

268. In conversation with the producer, Jones stated: “And that’s on helicopter footage, and then they say it never existed, and later admit it does, and the school was closed until that year, in the videos it’s all rotting and falling apart and nobody is even in it, and the kids are going in circles, in and out of the building with their hands up, and they never called rescue choppers. I mean, exactly.”

269. The Infowars producer responded: “There’s some supposed dash footage where the people are smiling and getting their lunches ready, police officers. You think you’re going to have smiling police officers at a time when they’re supposedly bringing out twenty dead kids? And they’re smiling and getting their lunches ready.”

270. Mr. Jones responded: “And they had Port-A-Potties being delivered an hour after it happened, for the big media event.”

271. The Infowars producer responded: “We’ve never seen, there was never been any even blurred photos of any bodies or anything We didn’t even get blurred images with the dead kids in Syria. We got crisp photos.”

272. Especially knowing the defendants’ previous statements, a reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiffs fabricated the deaths of their loved ones. A reasonable person would also understand the defendants to be stating that the plaintiffs were “Sandy Hook Vampires.”

April 28, 2017

273. On April 28, 2017, Jones held a press conference in which he was asked if he believes that Sandy Hook was a “false flag.” Jones stated: “I think we should investigate everything because the government has staged so much stuff, and then they lie and say that I said the whole thing was totally fake when I was playing devil’s advocate in a debate. I said maybe the whole thing is real, maybe the whole thing is fake. They were using blue screens out there Yes, governments stage things.”⁴⁰

274. Especially knowing the defendants’ previous statements, a reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiffs fabricated the deaths of their loved ones.

⁴⁰ <https://www.youtube.com/watch?v=StOyqyt0fkY>.

June 13, 2017

275. On June 13, 2017, Jones posted a video to the InfoWars Facebook page in which he once again rehearsed his lie about the “faked” CNN interview. Jones stated: “But there’s been a cover-up. Anderson Cooper got caught, faking where his location was with blue-screen. I mean, it’s all there.”⁴¹

276. Especially knowing the defendants’ previous statements, a reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiffs fabricated the deaths of their loved ones.

The Megyn Kelly Interview

The Preview

277. On June 11, 2017, television news personality Megyn Kelly interviewed Jones for her weekly news magazine on NBC News.

278. NBC released a preview of the interview on the internet on the following day.

279. In footage contained in the preview, Jones stated, “Well, Sandy Hook’s complex because I have had debates where, we devil’s advocates have said the whole story is true, and then I have had debates where I have said that none of it is true.”

280. Later, Kelly stated, “When you say parents faked their children’s deaths, people get very angry.”

281. In response, Jones asserted that people do not get angry about the deaths that resulted from the sanctions against Iraq or other tragedies in the world, and complained about the media’s coverage of such events. He did not deny claiming that the plaintiff parents faked their children’s deaths.

282. Kelly stated, “That doesn’t excuse what you did and said about Newtown, and you know it.”

283. Jones stated, “Here’s the difference. I looked at all the angles of Newtown, and I made my statements long before the media even picked up on it.”

284. The most reasonable interpretation of this statement is that Jones was saying that his account—in which he repeatedly stated that the shooting was staged, that parents were actors, and that no children were killed—was more reliable than the established media account, and true.

285. These statements were heard by millions of people.

⁴¹ <https://www.facebook.com/80256732576/videos/10155465593882577/>.

June 15, 2017 – Infowars

286. During a video released on Infowars on June 15, 2017, Jones stated the following about his interview with Megyn Kelly: “She said things like, ‘Oh, you talked about Newtown not happening and hurt people’s feelings,’ and I explained, ‘No I looked at all different angles, [unintelligible] could have happened, but they staged the WMDs in Iraq and they staged the babies in the incubators, so they’ve lied about babies before . . . I said, they’ve staged babies in incubators in Bush I, and then they did it again . . . so it could’ve been staged, because they stage things.’”

287. Especially knowing the defendants’ previous statements, a reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiffs fabricated the deaths of their loved ones.

288. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

Alex Jones’s June 18, 2017 Pre-NBC-Broadcast Programming

289. The final version of Jones’s interview with Megyn Kelly aired on NBC News on June 18, 2017.

290. Before the interview aired that day, Jones published several pre-show videos on Infowars.

291. During those videos, he made repeated statements suggesting that the Sandy Hook shooting did not happen and/or that the plaintiffs’ loved ones did not die there.

- A. In one, he said, “But I’m looking at it I think Newtown did happen. But I’m not the creator of people questioning Newtown and Sandy Hook. My guests covered it, I’ve covered it.”
- B. Later, he said, “My intel is that I’ve seen the parents and it looked real to me. If I can’t prove something one hundred percent I’m not going to go there. We know governments have staged things and you have a right to question it.”
- C. He continued, “But you have the total right to question Sandy Hook. You know, I’m tempted to make a documentary about it, just for my own hellish experience. It’s like the babies in the incubators . . . none of it was true.”
- D. He added, “No, I’ve been saying since it happened that I don’t know whether the official story’s true or not. And now you can’t prove it one way or the other there’s some anomalies. But the parents look pretty legitimate to me.”
- E. While interspersed with vacillations, Jones’s statements convey a clear message: that the accepted account of the Sandy Hook shooting—that the

plaintiffs lost their loved ones there—is untrue, and that the plaintiffs fabricated the deaths of their loved ones. Of special note was his abnormal and “official” tone, which a reasonable person knowing Jones’s show would interpret as a “wink” at his audience.

292. Later that day, Jones hosted Dr. Steve Pieczenik as a guest on his program.

293. As discussed in paragraphs 123 through 128 of this complaint, Pieczenik had stated in a previous appearance on Jones’s show that no children died at Sandy Hook and that the parents were actors.

294. In introducing Pieczenik on this occasion, Jones stated, “He’s a smart guy, he doesn’t buy into what happened, reportedly there in Newtown I personally can’t prove it one way or the other so I’m just going to say that my heart goes out to the families and I believe it happened.”

295. During his appearance on the show, Pieczenik said, “All the hedge fund owners . . . left down to Miami thanks to Dan Malloy and Sandy Hook. So every one of these paid [Sandy Hook] parents, whoever they may be, are totally, totally disingenuous.”

296. In response to Pieczenik’s statement, Jones said, in his abnormal, “official” tone, “All I know is that they’ve staged fake things before.”

297. A reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiffs fabricated the deaths of their loved ones.

298. These statements were heard by hundreds of thousands, if not millions of people.

The June 18, 2017 NBC Broadcast

299. During the interview with Kelly that aired on NBC, Jones made several additional statements suggesting that the shooting never happened.

300. At one point, Kelly read Jones’s previous statement describing the Sandy Hook shooting as a hoax, recounted in paragraphs 171 through 179 of this complaint.

301. In response, Jones stated, “At that point—and I do think there was some cover up and some manipulation—that is pretty much what I believed. But then I was also going into devil’s advocate, but then we know there’s mass shootings and these things happen. So again—”

302. Later, Kelly said, “If you wrongly went out there and said it was a hoax. That’s wrong.”

303. In response, Jones said, “But what I already answered your question was—listeners and other people are covering this—I didn’t create that story.”

304. Later, Kelly stated, “But Alex, the parents—one after the other—devastated. The dead bodies that the coroner autopsied.”

305. In response, Jones said, “And they blocked all that and they won’t release any of it. That’s unprecedented—”

306. Later, Kelly asked Jones if he was playing “devil’s advocate” when he said “the whole thing is a giant hoax.”

307. Jones responded, “Yes, because I remember in, even that day— I will go back for memory—they saying but then some of it looks like it’s real. But what do you do when they got the kids going in circles in and out of the building with their hands up. I’ve watched the footage and it looks like a drill.”

308. Even in that statement, while claiming—falsely—that he was playing “devil’s advocate” when making those previous statements, Jones again asserted that the Sandy Hook shooting did not happen.

309. Next, Kelly said, “When you say parents faked their children’s deaths, people get very angry.”

310. Jones responded, “Oh, I know—but they don’t get angry about the half million that Iraq from the sanctions or the don’t get angry about all the legal—”

311. Later, Kelly said, “That doesn’t excuse what you did and said about Newtown, you know it.”

312. Jones responded, “Here’s the difference, here’s the difference—I looked at all the angles of Newtown and I made my statements long before the media even picked up on it.”

313. In a voiceover, Kelly then noted that Jones, despite being “asked . . . numerous times what he now believes . . . never completely disavowed his previous statements.”

314. It then played clip of Jones saying, “I tend to believe that children probably did die there, but then you look at all the evidence on the other side, I can see how other people believe nobody died there.”

315. There is no evidence “on the other side.”

316. A reasonable person would understand Jones’s statements to assert that the Sandy Hook massacre was staged, and that the plaintiffs fabricated the deaths of their loved ones.

317. More than three million people saw and heard these statements by Jones.

Alex Jones's June 18, 2017 Counter-Programming

318. Meanwhile, as the interview played on NBC, Jones himself was broadcasting a live play-by-play video commentary on Infowars.

319. The Sandy Hook segment of the NBC interview began with a Megyn Kelly voiceover describing Jones's statements that Sandy Hook was a hoax. As the voiceover played, Jones said, "Babies in the incubators."

320. As evidenced by statements recounted previously in this complaint, "babies in the incubators" is a well-established Alex Jones metonym for a staged event.

321. This statement is properly interpreted as a reiteration and reaffirmation of Jones's previous statements that the Sandy Hook shooting was staged and that no children died there.

322. Later, as his statement that he "looked at all the angles of Newtown" in the NBC interview played in the background, Jones said, "I said I thought it happened before they were picked up. They never showed my final analysis."

323. This statement appears to be an admission that Jones never actually believed that Sandy Hook was a hoax, even as he maintained unequivocally that it was.

324. On information and belief, these statements were also broadcast on Alex Jones's radio affiliates.

325. Hundreds of thousands, if not millions, of people heard these statements.

June 26, 2017

326. During the June 18, 2017 profile of Jones for her NBC show Sunday Night with Megyn Kelly, Ms. Kelly interviewed one of the Sandy Hook parents, Neil Heslin, about the claims made by Jones, including that "the whole thing was fake" and "a giant hoax." Addressing Jones's lies, Heslin told Kelly, "I lost my son. I buried my son. I held my son with a bullet hole through his head."

327. On June 26, 2017, Infowars broadcast a segment hosted by "reporter" Owen Shroyer in which Shroyer claimed to have reviewed evidence showing it was impossible for Mr. Heslin to have held his son and seen his injury. This broadcast was meant to reinforce and support the underlying lie that the Sandy Hook parents are fakes.⁴²

328. Shroyer stated: "The statement [Heslin] made, fact-checkers on this have said cannot be accurate. He's claiming that he held his son and saw the bullet hole in his head. That is his claim. Now, according to a timeline of events and a coroner's testimony, that is not possible."

⁴² <https://www.infowars.com/zero-hedge-discovers-anomaly-in-alex-jones-hit-piece/>.

329. Shroyer's support for this statement was video footage in which the local medical examiner informed reporters that the slain students were initially identified using photographs rather than in person. However, the Sandy Hook parents were permitted to see and hold their children soon thereafter.

330. Shroyer stated: "You would remember if you held your dead kid in your hands with a bullet hole. That's not something you would just misspeak on." He continued, noting that Heslin was "making a pretty extreme claim that would be a very thing vivid in your memory, holding his dead child."

331. Shroyer then stated: "The conspiracy theorists on the internet out there have a lot of questions that are yet to be answered. You say whatever you want about the event, that's just a fact."

332. In concluding his report, Shroyer stated: "Will there be a clarification from Heslin or Megyn Kelly? I wouldn't hold your breath. [Laugh]. So now they're fueling the conspiracy theory claims. Unbelievable."

333. A reasonable person would understand these statements, including the title of the embedded video, to assert that the Sandy Hook massacre was staged, and that the plaintiffs fabricated the deaths of their loved ones.

334. These statements were heard by at least tens of thousands, if not millions, of people.

335. On information and belief, the defendants have published other similar statements of which the plaintiffs do not know at this time, but would obtain with reasonable discovery.

COUNT ONE – Invasion of Privacy by False Light; Civil Conspiracy
(Jacqueline Barden, Mark Barden, Jennifer Hensel, Ian Hockley, Nicole Hockley, Erica Lafferty, Jeremy Richman, Carlos M. Soto, Donna Soto, Jillian Soto, Carlee Soto-Parisi, David Wheeler, Francine Wheeler, & William Aldenberg v. All Defendants)

336. All previous allegations in this complaint are incorporated as if fully set forth herein.

337. The defendants, as part of a campaign of harassment and abuse, broadcast numerous outrageous lies about the plaintiffs that represented such major misrepresentations of the plaintiffs' character, history, activities or beliefs that serious offense may reasonably be expected to be taken by a reasonable person in their position.

338. The false light in which the defendants' statements placed the plaintiffs would be highly offensive to a reasonable person.

339. The defendants had knowledge that their statements were lies, or acted with reckless disregard as to the falsity of their statements and the false light in which the plaintiffs

would be placed.

340. These false publications have caused the plaintiffs actual and substantial damages.

341. In light of their prior experience with similar sorts of reckless and false statements, the defendants knew that their publications could cause the plaintiffs to suffer harassment and potential violence.

342. The plaintiffs are private individuals and are neither public officials nor public figures.

343. The defendants broadcast their outrageous, cruel, and malicious lies about the plaintiffs with knowledge that the statements were false or with reckless disregard as to whether or not they were true.

344. The defendants combined to conduct their campaign of harassment and abuse, which included numerous unlawful acts or lawful acts by unlawful means.

345. The defendants combined to perform these unlawful acts pursuant to their scheme to harass and abuse the plaintiffs and in furtherance of that scheme.

346. These acts of the defendants resulted in damage to the plaintiffs.

COUNT TWO – Defamation and Defamation *per se*; Civil Conspiracy
(Jacqueline Barden, Mark Barden, Jennifer Hensel, Ian Hockley, Nicole Hockley, Erica Lafferty, Jeremy Richman, Carlos M. Soto, Donna Soto, Jillian Soto, Carlee Soto-Parisi, David Wheeler, Francine Wheeler, & William Aldenberg v. All Defendants)

347. All previous allegations in this complaint are incorporated as if fully set forth herein.

348. In repeatedly publishing false statements asserting or reasonably understood to be asserting that the plaintiffs' loved ones did not die; and/or that the episode in which they were killed was staged or their loved ones were still alive; and/or the plaintiffs were actors who faked their loved ones' deaths; the defendants published numerous defamatory statements.

349. These publications were not only individually defamatory, but part of a continuous campaign of statements, starting in 2013 and continuing through at least 2017, stating, asserting, implying and suggesting that the plaintiffs faked their loved ones' deaths and/or are actors lying about the deaths of their loved ones.

350. The statements contained in the defendants' campaign of harassment and abuse constitute defamation *per se*. The harmful nature of the defamatory statements is self-evident. The defamatory statements implicate the Plaintiffs in heinous criminal conduct. False implications of criminal conduct represent classic defamation *per se*.

351. The defendants' defamatory publications readily identified the plaintiffs to millions of people.

352. The defendants' defamatory publications were broadcast to millions of people.

353. The defendants' defamatory publications have injured the plaintiffs' reputations and images, and they have exposed the plaintiffs to public and private hatred, contempt, and ridicule. These false publications have caused the plaintiffs actual and substantial damages.

354. In light of their prior experience with similar sorts of reckless and false statements, the defendants knew that their publications could cause the plaintiffs to suffer harassment and potential violence.

355. The plaintiffs are private individuals and are neither public officials nor public figures.

356. The defendants broadcast their outrageous, cruel, and malicious lies about the plaintiffs with knowledge that the statements were false or with reckless disregard as to whether or not they were true.

357. The defendants combined to conduct their campaign of harassment and abuse, which included numerous unlawful acts or lawful acts by unlawful means.

358. The defendants combined to perform these unlawful acts pursuant to their scheme to harass and abuse the plaintiffs and in furtherance of that scheme.

359. These acts of the defendants resulted in damage to the plaintiffs.

COUNT THREE – Intentional Infliction of Emotional Distress; Civil Conspiracy
(Jacqueline Barden, Mark Barden, Jennifer Hensel, Ian Hockley, Nicole Hockley, Erica Lafferty, Jeremy Richman, Carlos M. Soto, Donna Soto, Jillian Soto, Carlee Soto-Parisi, David Wheeler, Francine Wheeler, & William Aldenberg v. All Defendants)

360. All previous allegations in this complaint are incorporated as if fully set forth herein.

361. In broadcasting their campaign of outrageous and false statements about the plaintiffs, the defendants intended to inflict emotional distress or knew, or should have known, that emotional distress was the likely result of their conduct.

362. The defendants' conduct was extreme and outrageous.

363. The defendants' conduct was the cause of the plaintiffs' distress.

364. The emotional distress sustained by the plaintiffs was severe.

365. The defendants' conduct was so outrageous in character, and so extreme in degree, as to go beyond all possible bounds of decency, and to be regarded as atrocious, and utterly intolerable in a civilized community.

366. In light of their prior experience with similar sorts of false and reckless statements, the defendants knew that their publications could cause the plaintiffs to suffer harassment and potential violence.

367. The plaintiffs have suffered actual and substantial damages.

368. The plaintiffs are private individuals and are neither public officials nor public figures.

369. The defendants broadcast their outrageous, cruel, and malicious lies about the plaintiffs with knowledge that the statements were false or with reckless disregard as to whether or not they were true.

370. The defendants combined to conduct their campaign of harassment and abuse, which included numerous unlawful acts or lawful acts by unlawful means.

371. The defendants combined to perform these unlawful acts pursuant to their scheme to harass and abuse the plaintiffs and in furtherance of that scheme.

372. These acts of the defendants resulted in damage to the plaintiffs.

COUNT FOUR – Negligent Infliction of Emotional Distress; Civil Conspiracy
(Jacqueline Barden, Mark Barden, Jennifer Hensel, Ian Hockley, Nicole Hockley, Erica Lafferty, Jeremy Richman, Carlos M. Soto, Donna Soto, Jillian Soto, Carlee Soto-Parisi, David Wheeler, Francine Wheeler, & William Aldenberg v. All Defendants)

373. All previous allegations in this complaint are incorporated as if fully set forth herein.

374. The defendants' campaign of outrageous, cruel, and malicious lies created an unreasonable risk of causing the plaintiffs emotional distress.

375. The plaintiffs' distress was foreseeable.

376. The plaintiffs' emotional distress was severe enough that it might result in illness or bodily harm.

377. The defendants' outrageous, cruel, and malicious conduct was the cause of the plaintiff's distress.

378. The plaintiffs have suffered actual and substantial damages.

379. In light of their prior experience with similar sorts of reckless and false statements, the defendants knew that their publications could cause the plaintiffs to suffer harassment and potential violence.

380. The plaintiffs are private individuals and are neither public officials nor public figures.

381. The defendants broadcast their outrageous, cruel, and malicious lies about the plaintiffs with knowledge that the statements were false or with reckless disregard as to whether or not they were true.

382. The defendants combined to conduct their campaign of harassment and abuse, which included numerous unlawful acts or lawful acts by unlawful means.

383. The defendants combined to perform these unlawful acts pursuant to their scheme to harass and abuse the plaintiffs and in furtherance of that scheme.

384. These acts of the defendants resulted in damage to the plaintiffs.

COUNT FIVE: Connecticut Unfair Trade Practices Act, Conn. Gen. Stat. § 42-110a et seq.
(Jacqueline Barden, Mark Barden, Jennifer Hensel, Ian Hockley, Nicole Hockley, Erica Lafferty, Jeremy Richman, Carlos M. Soto, Donna Soto, Jillian Soto, Carlee Soto-Parisi, David Wheeler, Francine Wheeler, & William Aldenberg v. All Defendants)

385. All previous allegations in this complaint are incorporated as if fully set forth herein.

386. The defendants unethically, oppressively, immorally, and unscrupulously developed, propagated, and disseminated outrageous and malicious lies about the plaintiffs and their family members, and they did so for profit.

387. This campaign of lies, abuse, and harassment was a deceptive practice and offended public policy.

388. The defendants' reprehensible conduct caused substantial injury to the plaintiffs and other consumers that is not outweighed by any countervailing benefits to anyone, and that the plaintiffs themselves could not have reasonably avoided.

389. The defendants' conduct was a foreseeable cause of and a substantial factor causing the plaintiffs' injury.

390. The plaintiffs are private individuals and are neither public officials nor public figures.

391. The defendants broadcast their outrageous, cruel, and malicious lies about the plaintiffs with knowledge that the statements were false or with reckless disregard as to whether

or not they were true.

392. The defendants combined to conduct their campaign of harassment and abuse, which included numerous unlawful acts or lawful acts by unlawful means.

393. The defendants combined to perform these unlawful acts pursuant to their scheme to harass and abuse the plaintiffs and in furtherance of that scheme.

394. These acts of the defendants resulted in damage to the plaintiffs.

WHEREFORE, THE PLAINTIFFS CLAIM DAMAGES IN EXCESS OF FIFTEEN THOUSAND DOLLARS AND THE FOLLOWING RELIEF AS FURTHER SET FORTH BELOW:

Plaintiffs seek relief as follows:

- A. Monetary damages;
- B. Punitive damages;
- C. Attorneys' fees;
- D. Costs;
- E. Declarative relief;

This matter is within the jurisdiction of this court.

Of this writ, with your doings thereon, make due service and return.

Dated at Bridgeport, Connecticut this 23rd day of May, 2018.

THE PLAINTIFFS,

By

A handwritten signature in dark ink, appearing to read "Matt Bloss", written over a horizontal line.

WILLIAM M. BLOSS
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JURIS #32250

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION**

| | | |
|---------------------------|---|---------------------------|
| IN RE: | § | Case No. 22-60043 |
| | § | |
| FREE SPEECH SYSTEMS, LLC, | § | Chapter 11 (Subchapter V) |
| | § | |
| Debtor. | § | |

EXHIBIT B

| | | |
|-----------------------------------|----------|--------------------------|
| RETURN DATE: JULY 24, 2018 | : | JUDICIAL DISTRICT |
| | : | |
| WILLIAM SHERLACH | : | OF FAIRFIELD |
| | : | |
| v. | : | AT BRIDGEPORT |
| | : | |
| ALEX JONES, ET AL. | : | JULY 2, 2018 |

COMPLAINT

INTRODUCTION

1. This is a civil action for damages leading from the mass shooting that happened at Sandy Hook Elementary School on December 14, 2012.

2. Just before 9:30 AM that morning, Adam Lanza shot his way into the locked school with a Bushmaster XM15-E2S.

3. In less than five minutes, he shot and killed 20 first-grade children and 6 adults. Two others were wounded.

4. That tragic day left behind 26 families that will never be whole again.

5. Every day since, those families have struggled to reconcile themselves with the irrevocable loss of their beloved sons, daughters, sisters, brothers, and mothers.

6. Even though overwhelming—and indisputable—evidence exists showing exactly what happened at Sandy Hook Elementary School on December 14, 2012, certain individuals have persistently perpetuated a monstrous, unspeakable lie: that the Sandy Hook shooting was staged, and that the families who lost loved ones that day are actors who faked their relatives' deaths.

7. Defendant Alex Jones is a conspiracy-theorist radio and internet personality who holds himself out as a journalist. He is the most prolific among those fabricators. But he does not work alone: along with his various business entities, Jones is the chief amplifier for a group that has worked in concert to create and propagate loathsome, false narratives about the Sandy Hook shooting and its victims, and promote their harassment and abuse.

8. Jones, along with these others, has persisted in the perpetuation and propagation of this outrageous, deeply painful, and defamatory lie in the face of a mountain of evidence to the contrary, and with no supporting evidence.

9. Alex Jones does not in fact believe that the Sandy Hook Shooting was a hoax—and he never has.

10. Nevertheless, time and again, Jones has accused Sandy Hook families, who are readily identifiable, of faking their loved ones' deaths, and insisted that the children killed that day are actually alive.

11. Jones has deliberately employed these false narratives about the Sandy Hook shooting, the victims, and their families as part of a marketing scheme that has brought him and his business entities tens of millions of dollars per year.¹

12. Jones has an audience of millions. He has repeatedly urged them to "investigate" the Sandy Hook shooting. He has purposely published statements by other people who falsely assert that the Sandy Hook shooting was a hoax.

13. As a result of Jones's campaign, the families and survivors of the Sandy Hook shooting have been forced to endure malicious and cruel abuse at the hands of ruthless and unscrupulous people.

14. On a regular basis, the families and survivors have faced physical confrontation and harassment, death threats, and a sustained barrage of harassment and verbal assault on social media.

15. They have confronted strange individuals videotaping them and their children.

16. Some of them have moved to undisclosed locations to avoid this harassment.

17. The plaintiff brings this action in defense of the values protected by the First Amendment to the U.S. Constitution, not in derogation of it.

18. Like any marketplace, the marketplace of ideas that the First Amendment was meant to protect cannot function properly without accountability for reprehensible conduct like the defendants'. In fact, the defendants themselves have proven this to be so by their successful propagation of the blatantly false and harmful aspersions described in this Complaint.

19. The First Amendment has never protected demonstrably false, malicious statements like the defendants'. This is because "there is no constitutional value in false statements of fact. Neither the intentional lie nor the careless error materially advances society's interest in 'uninhibited, robust and wide-open' debate on public issues."²

¹ See Seth Brown, *Alex Jones's Media Empire Is a Machine Built to Sell Snake-Oil Diet Supplements*, N.Y. MAG. (May 4, 2017), <http://nymag.com/selectall/2017/05/how-does-alex-jones-make-money.html>; Alex Seitz-Wald, *Alex Jones: Conspiracy, Inc.*, SALON (May 2, 2013), https://www.salon.com/2013/05/02/alex_jones_conspiracy_inc/.

² *Gertz v. Robert Welch, Inc.*, 418 U.S. 323, 340 (1974) (quoting *New York Times Co. v. Sullivan*, 376 U.S. 254, 270 (1964)). While the Supreme Court has afforded "a measure of strategic protection" to certain kinds of falsehoods to ensure that speech protected by the First Amendment has "the breathing space to survive," it has never wavered in its determination that falsehoods have no First Amendment value. *Id.* at 342. None of the Court's protective doctrines interfere with the plaintiff's claims in this case.

20. This lawsuit is about holding Jones and the other defendants accountable for the effects of their outrageous, malicious, and deeply hurtful lies.

PARTIES

21. The plaintiff, William Sherlach, is the spouse of Mary Sherlach, who was a 56 year old school psychologist killed at Sandy Hook Elementary School, in Newtown, Connecticut, on December 14, 2012. He resides in Fairfield County, Connecticut.

22. The defendants are out-of-state business entities and individuals residing in Connecticut, Texas, and Florida.

23. Defendant Alex Emric Jones (“Alex Jones” or “Jones”) is a radio and internet personality who holds himself out as a journalist and is a resident of Austin, Texas. He is the host of shows including “The Alex Jones Show,” and owns and operates the websites Infowars.com and PrisonPlanet.com. Jones’s shows have millions of weekly listeners and are syndicated on approximately 60 radio stations.

24. Defendant Infowars, LLC (“Infowars”) is a Texas limited liability company that produces and broadcasts Alex Jones’ Infowars, which holds itself out as a news and journalism platform. Its principal offices are located at 100 Congress Avenue, 22nd Floor, Austin, Texas 78701.

25. Defendant Free Speech Systems, LLC is a Texas limited liability company. It owns Infowars.com. Its principal offices are located at 100 Congress Avenue, 22nd Floor, Austin, Texas 78701.

26. Defendant Infowars Health LLC is a Texas limited liability company. Its principal offices are located at 100 Congress Avenue, 22nd Floor, Austin, Texas 78701.

27. Defendant Prison Planet TV LLC is a Texas limited liability company. Its principal offices are located at 100 Congress Avenue, 22nd Floor, Austin, Texas 78701.

28. All the above-mentioned Texas business-entity defendants are owned, controlled, and/or operated by defendant Alex Jones and are employed to hold and generate revenue for him. They and Jones shall hereinafter be referred to collectively as “the Jones defendants.”

29. Defendant Wolfgang Halbig holds himself out as a journalist and investigator and resides in Sorrento, Florida. He is the creator and operator of the defamatory and predatory websites SandyHookJustice.com and MonteFrank.com.

30. Defendant Cory T. Sklanka holds himself out as a journalist and investigator and resides in Meriden, Connecticut. He has worked closely with Halbig in Halbig’s Sandy Hook “investigative” work, including acting as driver and camera operator when Halbig has visited Connecticut to conduct those activities, and, on information and belief, participating in the operation of SandyHookJustice.com and co-hosting Sandy Hook Justice broadcasts.

31. Defendant Genesis Communications Network, Inc., is a privately held company incorporated in Minnesota. It distributes radio programs produced by Alex Jones and Infowars, and was founded by Ted Anderson, who has appeared many times on Jones's shows, to promote his other business, defendant Midas Resources.³ Its principal offices are located at 190 Cobblestone Lane, Burnsville, Minnesota, 55337.

32. Defendant Midas Resources, Inc., is a privately held company incorporated in Minnesota. Its principal offices are located at 190 Cobblestone Lane, Burnsville, Minnesota, 55337. It has sold precious metals, dietary supplements, and other items as advertised by and in cooperation with defendant Genesis Communications and the Jones defendants.⁴

THE DEFENDANTS' KNOWLEDGE, ASPIRATIONS, AND INFLUENCE

33. Jones has a radio audience of more than two million people. The Alex Jones Show is syndicated on more than 60 radio stations. On the internet, Jones and Infowars reach millions more. Jones's YouTube channel has more than 2.3 million subscribers.

34. Jones has repeatedly expressly stated that he aspires to spur his followers to action, and has acknowledged that his exhortations have that effect. This is especially true with regard to the Sandy Hook shooting.

35. For instance, on June 12, 2017, The Alex Jones Channel posted a video. Speaking of his interview with Megyn Kelly on NBC and specifically about Sandy Hook, Jones stated, "That's why you keep missing the main calculation. I am a precision-guided heavy munition coming in on top of you . . . So I hit the barbed wire, and everyone comes in over me. Have you seen what we've done how talk radio now sounds just like me . . . Have you seen how the whole paradigm is globally shifting and you can't hold it back?"

36. Later in the video, Jones stated, "I'm making it safe for everyone else to speak out just like Trump's doing, on a much bigger scale."

37. Jones has not just attempted to give his followers permission to question reality. He also has specifically urged them to action.

38. His followers have shown themselves ready to comply.

39. On November 27, 2016, for instance, Jones spoke at length about "Pizzagate," a baseless conspiracy theory alleging that Democratic operatives were running a child-sex ring out of a Washington, D.C. pizza restaurant. He urged his followers to "investigate" the matter.

40. "You have to go investigate it for yourself," he told them. "But I will warn you, this story that's been the biggest thing on the internet for several weeks, Pizzagate as it's called, is

³ <https://www.youtube.com/watch?v=M-aQntV8meQ>; Nate Blakeslee, *Alex Jones Is About to Explode*, TEX. MONTHLY (Mar. 2010) <https://www.texasmonthly.com/politics/alex-jones-is-about-to-explode/>.

⁴ *Id.*

a rabbit hole that is horrifying to go down Something's going on. Something's being covered up. This needs to be investigated."

41. Jones's followers came running to his call, as he knew they would.

42. The pizzeria received hundreds of threats. Its owner told *The New York Times*, "[W]e've come under constant assault. I've done nothing for days but try to clean this up and protect my staff and friends from being terrorized."

43. The owner and staff, along with some of their families, were harassed on social media websites. The owner received death threats. Even musical groups that had performed at the pizzeria and nearby businesses were harassed.

44. On December 4, 2016, Edgar Maddison Welch, a self-described Alex Jones follower, drove from Salisbury, North Carolina, to Washington, D.C., and fired three rounds into the pizzeria with an AR-15-style rifle.

45. Welch told police that his objective was to "self-investigate" the Pizzagate conspiracy theory. In fact, just days before embarking on his violent "self-investigation," Welch urged a friend to watch "PIZZAGATE: The Bigger Picture," an Infowars video.

46. Shortly thereafter, Jones removed his November 27, 2016 video and scrubbed references to his advocacy of the Pizzagate conspiracy theory.

47. Similarly, many of the persons who have directly harassed or abused Sandy Hook families have been motivated by Jones's urging that his listeners "investigate."

48. In 2017, a Florida woman was sentenced to prison for threatening the father of a child killed at Sandy Hook.

49. She made four voicemail and email threats to the father, with statements like "you gonna die, death is coming to you real soon" and "LOOK BEHIND YOU IT IS DEATH."

50. The woman's defense lawyer stated that she was primarily motivated by what she had read and seen on Infowars.com, Jones's website.

51. On numerous occasions, Jones has hosted on his show Wolfgang Halbig, a self-styled investigator who is amongst the most prominent of those people who falsely claim that the Sandy Hook shooting was a hoax.

52. Halbig is a 70-year-old former police officer and school administrator living in Florida. He has made more than 22 trips to Connecticut relating to the allegations of this Complaint, including delivering highly confrontational testimony before the Newtown Board of Education, and was warned by police that he would be charged with harassment unless he ceased contacting Newtown residents.

53. Defendant Sklanka has facilitated Halbig's harassing and defamatory activities in Connecticut. He has acted as Halbig's driver, camera operator, helped Halbig operate his website, and co-hosted broadcasts asserting that the Sandy Hook shooting was a hoax. On information and belief, Sklanka assisted and was present with Halbig when he filmed and harassed children families at the St. Rose of Lima church in Newtown, Connecticut on June 2, 2015.

54. Kevin Laprade, an Infowars videographer, accompanied Halbig on at least some of his "investigative" trips to Connecticut.⁵

55. Halbig has filed numerous Freedom of Information Act requests over the years since the shooting, seeking police documents, insurance claims, portable toilet orders, and other types of information.

56. Halbig has raised more than \$100,000, largely on GoFundMe.com, for his activities.

57. Tiffany Moser helped Halbig search Newtown Board of Education documents for evidence that the school was closed before the shooting. When she reported that all the evidence indicated that the school had been open, Halbig dismissed her.

58. Halbig was banned from St. Rose of Lima, a Newtown church, after he and others were seen videotaping children entering and exiting the building. On information and belief, Sklanka participated in this venture.

59. In May 2014, Halbig spoke at a public meeting of the Newtown Board of Education, in Newtown, Connecticut.

60. After the meeting, Leonard Pozner emailed Halbig, seeking to persuade him to leave the Sandy Hook families alone. Halbig never responded, but another person did. He stated: "Wolfgang does not wish to speak with you unless you exhume Noah's body and prove to the world you lost your son."

61. Halbig's activities were well known when he first appeared on the Alex Jones Radio Show, and throughout the times during which Jones hosted his appearances; in fact, Jones invited and hosted him on his show, time and again, precisely because of his activities.

62. On his show, Jones expressly encouraged Halbig to continue these activities on numerous occasions.

63. During that broadcast of the Alex Jones Radio Show, Jones repeatedly advertised Halbig's website, sandyhookjustice.com.

64. Halbig's website made numerous false, outrageous, and defamatory statements about the Sandy Hook families.

⁵ <https://www.facebook.com/mert.melfa/videos/539807396217619/>.

- A. For instance, the website accused Jeremy Richman, father of Avielle Richman, who was murdered at Sandy Hook Elementary School on December 14, 2012, of having fabricated his daughter's identity and faked her death "to steal money from hard-working Americans." Those false and outrageous accusations were accompanied by pictures of Jeremy, Avielle, and an unrelated Newtown child.
- B. Halbig's website further stated that "Jeremy Richman & Jennifer Hensel continue to deceive and defraud the American public and collect donations for The Avielle Foundation, for Avielle Richman claiming she is dead, when in reality, she is alive and was never their daughter." It further stated: "The corruption, fraud, and treason must stop, especially at the Bridgeport, Connecticut Law Firm of Pullman & Comley LLC, managers of the My Sandy Hook Family Fund, actively engaging in FRAUD by soliciting donations from the public for a murder victim who is still alive."⁶
- C. Halbig's website contained links to numerous Infowars and/or Alex Jones videos claiming that the Sandy Hook shooting was a hoax, as well as videos that contained imagery and the names of some of the children.⁷
- D. It also published images, text, and video asserting that William Aldenberg and David Wheeler are in fact the same person, who is a crisis actor.
- E. Faced with invasion-of-privacy lawsuits, Halbig took down his website in August 2016. However, he has continued to publish false, malicious, and defamatory statements regarding the Sandy Hook shooting and its victims continually through Facebook, email, and various radio and internet media outlets.

65. Halbig has also published Facebook posts containing images and text asserting that William Aldenberg and David Wheeler are in fact the same person, and that person is a crisis actor.⁸ His Facebook page continues to display those publications.

66. Jones was aware that Halbig had published such statements through his website and other outlets. In fact, Jones brought Halbig onto his shows for the very purpose of eliciting and publishing such statements.

⁶ <https://web.archive.org/web/20160322115755/http://sandyhookjusticereport.com:80/monte-frank/avielle-richman-1-20-students-supposedly-died-sandy-hook-school-shooting-verified-28-year-veteran-forensic-expert-witness-girl-photos-lenie-urbina/>.

⁷ <https://web.archive.org/web/20150731014342/http://www.sandyhookjustice.com:80/>.

⁸ See, e.g., <https://www.facebook.com/wolfgang.halbig.1/posts/196562527355324>;
<https://www.facebook.com/wolfgang.halbig.1/posts/195439914134252>.
<https://www.facebook.com/photo.php?fbid=196561627355414&set=pb.100010047343967.-2207520000.1526661423.&type=3&theater>.

67. In addition to hosting Halbig on his show time and again, Jones specifically directed and encouraged Halbig to continue his Sandy-Hook-related activities in Connecticut. Jones and other Infowars personnel specifically solicited that their audience contribute funds to Halbig so that he could continue his efforts.

68. In fact, Jones and Infowars sent Infowars personnel to Connecticut to conduct live “reporting” on Halbig’s activities and publish his false, defamatory, and outrageous accusations about the plaintiff.

69. For instance, on May 29, 2015, The Alex Jones Channel published an Infowars video, now posted on YouTube with the title “School Administrator Exposes Sandy Hook Stonewall.”⁹

70. The video was introduced by David Knight. The video then cut to Dan Bidondi, an Infowars reporter, who was reporting from Halbig’s Freedom of Information Act hearing in Hartford, Connecticut.

71. Infowars reporter Dan Bidondi had traveled to Hartford, CT to “report” on this hearing on behalf of Infowars and Alex Jones.

72. On information and belief, other Infowars employees, apparent agents, and/or agents, including videographer Kevin Laprade,¹⁰ traveled to and were located in Hartford, Connecticut, for the creation of this video.

73. Sklanka acted as Halbig’s driver, and actively facilitated his appearance on Infowars.¹¹

74. On July 7, 2015, The Alex Jones Show broadcast a video now posted on YouTube with the title “Retired FBI Agent Investigates Sandy Hook: MEGA MASSIVE COVER UP.”¹²

75. Jones noted, referring to the May 29, 2015 video, “I knew that we’d sent a reporter, Dan Bidondi, there for days, to cover the city council hearings about it, the fact that they’re sealing everything.”¹³

76. Jones and Infowars purposefully sought to direct their message and spur “investigation” of the Sandy Hook families and the Newtown, Connecticut community in other ways, as well. For example, Jones took calls from listeners who called claiming to live close to Newtown, Connecticut, and encouraged them to continue their “investigations.”¹⁴

⁹ <https://www.youtube.com/watch?v=SO8Xb-t4nT4>.

¹⁰ <https://www.facebook.com/photo.php?fbid=10209638407182257&set=a.3495510351748.2134051.1391267684&type=3&theater>.

¹¹ https://www.youtube.com/watch?v=4_2FznkfcBU.

¹² <https://www.mediamatters.org/embed/clips/2016/11/29/51284/gcn-alexjones-20150707-shooting>; <https://www.youtube.com/watch?v=8YV1eWq8YSc>.

¹³ <https://www.youtube.com/watch?v=jCOe3qIgvFA>.

¹⁴ https://www.youtube.com/watch?v=TGCfi_ot0CU.

77. Jones and the rest of the Jones defendants acted together to develop, disseminate, and propagate the false statements described in this Complaint.

78. Similarly, Sklanka and Halbig acted together, and they both acted together with the Jones defendants, to develop, disseminate, and propagate many of the false statements described in this Complaint.

79. Jones and other Infowars personnel mentioned in this Complaint were at all relevant times servants, agents, apparent agents, employees, and/or joint venturers of the Jones defendants.

80. Defendant Halbig was at all relevant times a servant, agent, apparent agent, employee, and/or joint venturer of the Jones defendants.

81. Defendant Sklanka was at all relevant times a servant, agent, apparent agent, employee, and/or joint venturer of Halbig and the Jones defendants.

82. Defendants Genesis Communications and Midas Resources both participated in this conspiracy and independently distributed the publications contained in this Complaint.

THE DEFENDANTS' SANDY-HOOK-BASED BUSINESS MODEL

83. The Jones defendants and their co-conspirators' conduct is based on a simple motive: greed. The defendants' business model is based on their fabrication, propagation, and amplification of conspiracy-minded falsehoods like those about Sandy Hook. It is a very lucrative business model.

84. The Jones defendants have developed and cultivated an audience through the propagation of narratives revolving around paranoia, social anxiety, and political discord, a known motivator for some people.¹⁵

85. The false claim that the Sandy Hook shooting was a government-sponsored hoax designed to lead to gun control was therefore a prime narrative for attracting, augmenting, and agitating Jones's audience.

86. Jones and his subordinates hold themselves out as trusted newsmen, assiduously assuming the paraphernalia and symbology of television and radio journalism. This is obvious to anyone watching or listening to Infowars content: the consciously deepened voice; the news-anchor's huge Lucite desk; the shuffling of papers; the clipped news-anchor's diction and regular tone modulation; the title-and-picture callouts by story; the breaking-news broadcast opening and transition graphics using Infowars logos; the regular references to Infowars "reporters" and "investigations."

¹⁵ See generally Richard J. Hofstadler, *The Paranoid Style in American Politics, and Other Essays* (1964).

87. Once he has their attention and trust, Jones exploits his audience by selling them products in line with the paranoid worldview he promotes. In his internet-based and broadcast radio shows, the Jones defendants hawk “open currency” precious metals, pre-packaged food and dietary supplements, “male enhancement” elixirs and radiation-defeating iodine tablets, gas masks and body armor, and various customized AR-15 “lower receivers” (the extruded metal frame that encloses the breach, ammunition feed and firing mechanism of the rifle).¹⁶

88. According to non-parties Bankrate LLC and Celebrity Net Worth, in mid-2017, Alex Jones himself had a personal net worth of approximately \$10,000,000. According to non-party Worth of the Web, an Internet-based clearinghouse that brokers sales among existing websites and web-based businesses, Infowars.com is worth approximately \$68,000,000.

89. In May 2013, just six months after the Sandy Hook shootings, when his false narrative about those events was beginning to crescendo, an investigative reporter estimated that Alex Jones was making approximately \$10,000,000 annually, which excluded any additional revenue attributable to book and DVD sales, remunerated speaking engagements and on-line merchandise sales, promotional tie-ins and royalties.¹⁷

90. In other words, the Jones defendants concoct elaborate and false paranoia-tinged conspiracy theories because it moves product and they make money. Jones and his subordinates say what they say not because they are eager to educate or even to entertain their audience. Rather, they deliberately stoke social anxiety and political discord in their listeners, because distrust in government and cultural tribalism motivate those listeners to buy their products.

91. News reports confirm that Jones and his business entities engage in the kind of conduct described in this Complaint not because they truly believe what they are saying, but rather because it increases profits.

92. Former employees described “money-bomb fundraisers” that raised \$100,000 in a day (for a for-profit entity), and programming being chosen based on its “being sensational and making money.” “People were just so taken by the information we’d been pushing they’d do anything,” one said.¹⁸

93. In fact, during the legal proceedings in which Jones sought custody of his three children, Jones’s own attorney argued that Jones’s two decades of activities were mere “performance art” and that “he’s playing a character.”¹⁹

¹⁶ <https://www.INFOWARSstore.com/gear/personal-protective-gear/victory-series-2-minuteman-limited-edition-80-lower-ar-receiver.html>.

¹⁷ Alex Seitz-Wald, *Alex Jones: Conspiracy, Inc.*, Salon (May 2, 2013).

¹⁸ Charlie Warzel, Alex Jones Will Never Stop Being Alex Jones, *Buzzfeed* (May 3, 2017), https://www.buzzfeed.com/charliewarzel/alex-jones-will-never-stop-being-alex-jones?utm_term=.yqXeXzdLEZ#.qewdqn0m2.

¹⁹ Corky Siemaszko, *InfoWars' Alex Jones Is a 'Performance Artist,' His Lawyer Says in Divorce Hearing*, NBCNews (Apr. 17, 2017), <https://www.nbcnews.com/news/us-news/not-fake-news-infowars-alex-jones-performance-artist-n747491>.

THE CAMPAIGN OF ABUSE

94. Jones's and Infowars's campaign of abuse began only days after the plaintiff lost his wife to Adam Lanza's murderous rampage.

95. On December 19, 2012, Infowars.com published an article entitled "FATHER OF SANDY HOOK VICTIM ASKS 'READ THE CARD?' SECONDS BEFORE TEAR-JERKING PRESS CONFERENCE."²⁰

96. That article alleges that Robbie Parker, father of six-year-old Emilie Parker, read off a card at a press conference the day after his daughter was killed. The article asked, "Is the establishment media trying to steer the victims' reactions?"

97. An embedded video was entitled: "Sandy Hook Shooting Exposed As a Fraud."

98. At the bottom of the article, a "Statement from Alex Jones" said, "It appears that members of the media or government have given him a card and are telling him what to say as they steer reaction to this event, so this needs to be looked into."

99. On January 8, 2013, Infowars.com published an article entitled: "COLLEGE PROFESSOR SAYS 'CRISIS ACTORS' MAY HAVE PLAYED PART IF SANDY HOOK WAS INDEED A HOAX."²¹

100. The article quoted James Tracy, a former Professor at Florida Atlantic University who has since been fired: "After such a harrowing event why are select would-be family members and students lingering in the area and repeatedly offering themselves for interviews? . . . A possible reason is that they are trained actors working under the direction of state and federal authorities and in coordination with cable and broadcast network talent to provide tailor-made crisis acting that realistically drives home the event's tragic features."

101. In the narratives and parlance of mass-shooting conspiracy theorists, "crisis actors" are actors employed by government agencies or other powerful actors to stage shootings, in which they play victims, witnesses, and bystanders.

102. The article is accompanied by an embedded video with the title "Sandy Hook Mass Media Psyop: Outtakes and Bloopers."

²⁰ Infowars.com, *Father of Sandy Hook Victim Asks 'Read the Card?' Seconds Before Tear Jerking Press Conference*, Infowars (Dec. 19, 2012), <https://www.infowars.com/father-of-sandy-hook-victim-asks-read-the-card-seconds-before-tear-jerking-press-conference/>.

²¹ Infowars.com, *College Professor says 'Crisis Actors' May Have Played Part if Sandy Hook was Indeed a Hoax*, Infowars (Jan. 8, 2013), <https://www.infowars.com/college-professor-says-crisis-actors-may-have-played-part-if-sandy-hook-was-indeed-a-hoax/>.

103. A reasonable person would understand these statements, including the title of the embedded video, to assert that the Sandy Hook massacre was staged, and that the plaintiff fabricated the death of his wife.

January 27, 2013

104. On January 27, 2013, the Alex Jones Channel posted a video now advertised on YouTube under the title: “Why People Think Sandy Hook is A Hoax.”²² Just over a month had passed since the shooting at Sandy Hook.

105. Jones appeared in that video. During the video, he stated, “Now again, in the last month and a half, I have not come out and clearly said that this was a staged event. Unfortunately, evidence is beginning to come out that points more and more in that direction, and we’re going to show you that evidence in the moment. Now a lot of the tens of millions of video views on YouTube concerning the Sandy Hook hoax surround CNN, and what appears to be people who’ve been coached, people who have been given cue cards, people who are behaving like actors.”

106. Later in the video, Jones stated, “One of the big issues out there that has people asking questions is Robbie Parker, who reportedly lost one of his daughters. And people see the photos out there where it looks like Obama’s meeting with all three of his children, and things like that. And, when you watch the footage, I know grieving parents do strange things, but it looks like he’s saying, ‘Okay, do I read off the card,’ he’s laughing, and then he goes over, and starts, um, breaking down and crying.”

107. Jones then played a video of Robbie Parker making a statement the day after the shooting. Parker lost his daughter, Emilie, in the Sandy Hook shooting.

108. Under the video was a chyron with the words “Odd Parent Reaction from SandyHook [sic].”

109. As the video of Parker played, Jones commented over it. “I haven’t touched this,” he said. “All I know is they’re seizing on it. They staged fast and furious . . . that killed thousands, our government, to blame the Second Amendment, they’d stage anything.”

110. Later in the broadcast, Jones said, “This needs to be investigated. They’re clearly using this to go after our guns . . . Something though, really, is starting to get suspicious here . . . But the fact that this whole thing could be staged, it’s just mindblowing. Tell us what you think. Great job to all the people out there with the crowdsourcing, that are resourcing all these clips.”

111. A reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiff fabricated the death of his wife.

112. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

²² <https://www.youtube.com/watch?v=tM5ZdO-IgEE>.

March 2013

113. On March 14, 2014, Jones stated, “We’ve clearly got people where it’s actors playing different parts of different people.”

114. He continued, “I’ve looked at it and undoubtedly there’s a cover up, there’s actors, they’re manipulating, they’ve been caught lying, and they were pre-planning before it and rolled out with it.”

115. The audience for these broadcasts has included hundreds of thousands, if not millions, of people.

May 27, 2013

116. On May 27, 2013, Dr. Steve Pieczenik appeared on the Alex Jones Radio Show in an episode advertised on YouTube under the title “Sandy Hook was A Total False Flag!”²³

117. During that appearance, Pieczenik stated, “Sandy Hook was a total false flag. There was no individual involved; there was no Asperger’s; there was no 24 kids who were killed.”

118. In the parlance and narratives of mass-shooting conspiracy theorists, “false flag” is the idea that a shooting or other attack was staged by the government or other powerful forces.

119. A reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiff fabricated the death of his wife.

120. On information and belief, this episode was also broadcast through Jones’s radio affiliates.

121. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

May 13, 2014

122. On May 13, 2014, The Alex Jones Radio Show broadcast an episode advertised on YouTube under the title “Bombshell: Sandy Hook Massacre Was A DHS Illusion Says School Safety Expert.”²⁴

123. That day, Jones hosted Wolfgang Halbig.

124. During this video, Halbig stated: “I think the reason they’re not answering those questions ‘cause I think it’s going to expose their whole scam.”

²³ The Alex Jones Channel, *Dr. Steve Pieczenik: Sandy Hook was A Total False Flag!*, YouTube (Mar. 27, 2013), <https://www.youtube.com/watch?v=5EfyD7Wu5fQ&t=18s>.

²⁴ Alex Jones Channel, *Bombshell: Sandy Hook Massacre Was A DHS Illusion Says School Safety Expert*, YouTube (May 13, 2014), <https://www.youtube.com/watch?v=x2a1FwYEZS4>.

125. Jones asked Halbig, “What are the big smoking guns . . . what are the big red flags?”

126. Halbig responded, “The red flags is that you’re looking at \$29 million . . . and there are 39 other community nonprofit organizations within Newtown that received a lot of funds.”

127. Jones interjected: “You’re saying a motive for the locals to go along with the fraud is money.”

128. Later, Jones prompted Halbig, “What about the kids going in circles, back and forth, the same people, into the school for the helicopters; it looked like a fake drill . . . just go through those points.”

129. Jones summarized, stating, “The cover up is the prima facie proof of the larger crime, and that we’re being lied to.”

130. He continued, “The whole thing, you’ve got ‘em jumping the gun . . . that Bloomberg was saying get ready the day before, get ready to fundraise on mass shootings . . . had a false start, didn’t you, Bloomy.”

131. Jones was asserting that former Mayor of New York City Michael Bloomberg knew about the shooting beforehand. The clear implication of this statement is that the shooting was “staged” and a hoax.

132. Halbig understood Jones. He responded, “Children did not die, teachers did not die, on December 14, 2012.”

133. Halbig further stated, “Alex, we’ve never had a time in our history, where Sandy Hook, a school massacre, the biggest illusion ever portrayed by Homeland Security and FEMA . . .”

134. During that show, Jones stated, in reference to the Sandy Hook shooting, “I mean it’s fake . . . it’s fake . . . you’ve got parents acting . . . it just is the fakest thing since the three-dollar bill.”

135. A reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiff fabricated the death of his wife.

136. On information and belief, this episode was also broadcast through Jones’s radio affiliates.

137. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

September 25, 2014

138. On September 25, 2014, the Alex Jones Radio Show broadcast an episode advertised on YouTube under the title “FBI Says Nobody Killed at Sandy Hook Massacre.”²⁵

139. This assertion was a complete fabrication: the FBI had made no such statement.

140. During the September 25, 2014 broadcast of the Alex Jones Radio Show, Jones and Halbig asserted that FBI crime statistics showed that no one was killed at Sandy Hook.

141. This was a false statement. FBI crime statistics showed no such thing.

142. Jones stated that video from the day of the shooting showed that the same children were cycled in and out of the school and that no emergency helicopters were sent to the school, and were “clearly staged.”

143. Jones stated that two supposed former high-level national-defense officials had declared that Sandy Hook and the Boston bombing were faked.

144. Halbig asserted that “there were no trauma helicopters” sent to Newtown, that the other 600 children at the school could not be found, and that Sandy Hook Elementary School was “a toxic waste dump . . . the filthiest, most deplorable school . . . that I have ever seen.”

145. Jones asserted that the school was “a cut-out” used as a stage for the event.

146. Jones and Halbig both stated “I wish it was real instead of fake.”

147. Halbig stated that Connecticut state troopers “used they [sic] script,” that “it’s nothing but corruption in Connecticut,” and that 16 Connecticut state troopers lied under oath.

148. Halbig accused a company called Obsidian, located in Washington, D.C., of scripting well-known crises around the world, including Sandy Hook.

149. Halbig stated that “nobody died” at Sandy Hook. He stated that “they never allowed the paramedics or EMTs ever inside the school.”

150. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

151. On September 26, 2014, Infowars.com published an article by Adan Salazar entitled “SANDY HOOK INVESTIGATOR: CONNECTICUT PD HAD FBI FALSIFY CRIME STATISTICS.”

²⁵ <https://www.youtube.com/watch?v=N1RlzXvGy2s>. This video has since been removed “for violating YouTube’s policy on harassment and bullying,” but is now available at <https://www.youtube.com/watch?v=eqVqmFy4KW0>.

152. The article repeatedly quoted Wolfgang Halbig, who alleged that he had “discovered various anomalies which have led him to believe the entire incident was a contrived event.”

153. The article contained the following quote: “The American people need to wake up and listen to what these exercises are,” says Halbig. “A Homeland Security FEMA Capstone Exercise, it starts at the White House, at the president’s desk, goes all the way through Congress, through the Attorney General, down through the FBI, all the way down to the local government. It is a whole community event, and that’s what I think happened at Sandy Hook.”

154. The article quoted Halbig as saying that there was “a ‘script’ followed during the event.”

155. It quoted him again, saying, “I’m telling you nobody died [at Sandy Hook] . . . I’ve been a school administrator for 30 some odd years. When I have a child with a broken arm, or I’ve got a fight on the school bus, or a child’s been stabbed or shot, the first thing we get ready for are lawsuits. Alex, if there would have been just 2 or 3 lawsuits filed by the parents or loved ones who lost someone that day at Sandy Hook, I’d go away.”

156. A reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiff fabricated the death of his wife.

157. On information and belief, the article has been viewed by hundreds of thousands of persons.

December 12, 2014

158. On December 12, 2014, Infowars Nightly News broadcast an episode now advertised on YouTube under the title “The Ultimate Sandy Hook Debate As The 2nd Anniversary Looms.”²⁶

159. The episode consisted of a debate between Keith Johnson (a self-described conspiracy theorist with americanfreepress.net) and Halbig, about Sandy Hook, moderated by an Infowars personality named Rob Dew.

160. During that broadcast, Halbig asserted that Sandy Hook Elementary School had been used as a toxic waste dump before December 14, 2012, and therefore no shooting took place there.

161. Halbig stated, “On behalf of Dawn Hochsprung, who supposedly was the principal and was shot [in the massacre] . . . I can tell you this with certainty: Dawn Hochsprung would never, ever, in her life, have allowed her school . . . to look so filthy and so deplorable . . . she would have never . . . allowed her school to become a toxic waste dump exposing every one of her

²⁶ The Alex Jones Channel, *The Ultimate Sandy Hook Debate As The 2nd Anniversary Looms*, YouTube (Dec. 12, 2014), <https://www.youtube.com/watch?v=6aK0P-WxjU8>.

children and school staff members to serious lifelong health risks The doors are rotten, they're filthy . . . there's mildew."

162. A reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiff fabricated the death of his wife.

163. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

December 28, 2014

164. On December 28, 2014, during The Alex Jones Radio Show, Jones took a call from Kevin, a listener who called in claiming to live close to Newtown, Connecticut.²⁷

165. Kevin said, "I'm calling about Sandy Hook. My take on it is . . . The whole thing is pretty much the next step in reality TV, because with other false flags, like 9/11 or Oklahoma City, or the Boston bombing, at least something happened. With Sandy Hook, there's no there there. You've got a bunch of people walking around a parking lot, pretty much what it comes down to."

166. Jones interrupted Kevin. "No, no, I've had the investigators on, the state police have gone public, you name it," he said. "The whole thing is a giant hoax. And the problem is, how do you deal with a total hoax? How do you even convince the public something's a total hoax?"

167. Kevin responded, "I always tell people the same thing: go out and prove the official story. And . . . I know the millisecond this happened, with that now-fake picture of the kids being led out of the school, that there's nothing that's going to sell this agenda like dead elementary school kids."

168. Jones interrupted Kevin again. "The general public doesn't know the school was actually closed the year before," he said. "They don't know they've sealed it all, demolished the building. They don't know that they had the kids going in circles in and out of the building as a photo-op. Blue screen, green screens, they got caught using."

169. Jones continued, "People just instinctively know that there's a lot of fraud going on. But it took me about a year with Sandy Hook to come to grips with the fact that the whole thing was fake. I mean, even I couldn't believe it. I knew they jumped on it, used the crisis, hyped it up. But then I did deep research—and my gosh, it just pretty much didn't happen."

170. A reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiff fabricated the death of his wife.

171. On information and belief, this episode was also broadcast through Jones's radio affiliates.

²⁷ https://www.youtube.com/watch?v=TGCfi_ot0CU.

172. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

January 2, 2015

173. On January 2, 2015, Infowars.com published an article by Adan Salazar entitled “MYSTERY: SANDY HOOK VICTIM DIES (AGAIN) IN PAKISTAN.”

174. The article alleged that the “face . . . one of the children supposedly killed in the December 2012 Sandy Hook shooting in Newtown, Connecticut” had “without explanation . . . appeared in multiple photos and reports” related to an attack conducted by the Pakistani Taliban on a Pakistan Army school on December 16, 2015.

175. “Can the photo’s misuse simply be brushed off as another bumbling Google image search mistake?” the article stated. “Or could it be willful subterfuge aimed at poking fun at those who question the validity of the Sandy Hook event?”

176. The pictures used were images of Noah Pozner.

177. Upon information and belief, hundreds of thousands of people have viewed this article.

January 13, 2015

178. On January 13, 2015, during a broadcast of The Alex Jones Radio Show, Jones said, “Yeah, so, Sandy Hook is a synthetic completely fake with actors, in my view, manufactured. I couldn’t believe it at first. I knew they had actors there, clearly, but I thought they killed some real kids. And it just shows how bold they are, that they clearly used actors. I mean they even ended up using photos of kids killed in mass shootings here in a fake mass shooting in Turkey—so yeah, or Pakistan. The sky is now the limit. I appreciate your call.”²⁸

179. A reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiff fabricated the death of his wife.

180. On information and belief, this episode was also broadcast through Jones’s radio affiliates.

181. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

March 4, 2015

182. On March 4, 2015, The Alex Jones Radio Show broadcast an episode now advertised on YouTube under the title “New Bombshell Sandy Hook Information In-Bound.”²⁹

²⁸ <https://www.youtube.com/watch?v=Ap-DvMoiMOY>.

²⁹ <https://www.youtube.com/watch?v=7ib5WkULBY>.

183. Jones hosted Halbig on that episode.

184. During the broadcast, Jones asked Halbig to explain why Sandy Hook was “completely phony.”

185. Halbig stated the school was not in operation at the time of the shooting.

186. Jones stated that the school was suddenly reopened, received a “falling report” [sic], and did not look like a real school.

187. Halbig stated that it was the “most filthiest [sic] most deplorable school” and “loaded with lead paint . . . asbestos . . . PCP.”

188. Halbig stated that trauma helicopters were not called and that paramedics were not allowed to enter the school.

189. Jones stated, “I’m saying it was a drill, a giant piece of theater, did they really kill some kids? I don’t know.”

190. Referring to video of parents of children killed in the shooting, Jones stated that “they . . . bring in actors to break down and cry. . . used the same actors as different people.”

191. Both Jones and Halbig stated that Connecticut police ate lunch inside the school the day of the shooting.

192. Halbig encouraged listeners to contact the Newtown school board and ask them his questions.

193. A reasonable person would understand Jones’s and Halbig’s statements to assert that the Sandy Hook massacre was staged, and that the plaintiff fabricated the death of his wife.

194. On information and belief, this episode was also broadcast through Jones’s radio affiliates.

195. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

May 28, 2015

196. On May 28, 2015, Infowars Nightly News broadcast an episode now advertised on YouTube under the title: “Sandy Hook: The Lies Keep Growing.”³⁰

197. David Knight hosted Halbig on Infowars Nightly News.

³⁰ <https://www.youtube.com/watch?v=Ml3KVj2nVRA>.

198. Halbig accused Newtown police chief Mike Kehoe of committing perjury.

199. Halbig once again appeared, and stated that the school was unsanitary and unsafe.

200. Halbig's website was repeatedly advertised and listeners were encouraged to support him financially.

201. A reasonable person would understand Halbig's statements to assert that the Sandy Hook massacre was staged, and that the plaintiff fabricated the death of his wife.

202. On information and belief, this episode was also broadcast through Jones's radio affiliates.

203. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

May 29, 2015

204. On May 29, 2015, The Alex Jones Channel published an Infowars video, now posted on YouTube with the title "School Administrator Exposes Sandy Hook Stonewall."³¹

205. The video was introduced by David Knight. The video then cut to Dan Bidondi, an Infowars reporter, who was reporting from Wolfgang's Freedom of Information Act hearing in Hartford, Connecticut.

206. The video cut back and forth between excerpts from the hearing and interviews of Halbig by Bidondi in the hallway outside the hearing room.

207. Infowars reporter Dan Bidondi traveled to Hartford, CT to report on this hearing on behalf of Infowars and Alex Jones.

208. On information and belief, other Infowars agents, including the person doing the video recording, traveled to and were located in Hartford, Connecticut, for the creation of this video.

209. Later on May 29, 2015, the Alex Jones Channel published another Infowars video on YouTube, entitled "New Sandy Hook Questions Arise from FOIA Hearing."³² The video featured David Knight interviewing Wolfgang Halbig by streaming video.

210. During the interview, Halbig stated that Sandy Hook Elementary School was "a toxic waste dump . . . and yet, we have parents who would allow their children to attend that type of a school? I don't believe so. And if they did, those parents are negligent for putting their children at risk."

³¹ <https://www.youtube.com/watch?v=SO8Xb-t4nT4>.

³² <https://www.youtube.com/watch?v=5cll79t7Mrw>.

211. Halbig was clearly suggesting that the school was empty on the day of the shooting, and therefore that the shooting did not happen—and that the Sandy Hook families are lying about their loved ones' deaths.

212. On information and belief, these statements were heard by hundreds of thousands, if not millions, of people.

July 7, 2015

213. On July 7, 2015, The Alex Jones Radio Show broadcast a video now posted on YouTube with the title “Retired FBI Agent Investigates Sandy Hook: MEGA MASSIVE COVER UP.”³³

214. Jones noted, referring to the May 29, 2015 video, “I knew that we’d sent a reporter Dan Bidondi there for days, to cover the city council hearings about it, the fact that they’re sealing everything.”³⁴

215. “[T]he more we look at Sandy Hook,” he said, “I don’t want to believe it’s a false flag. I don’t know if kids really got killed, but you’ve got green screen with Anderson Cooper . . . and then his nose disappears. It’s fake! The whole thing, it’s—I don’t know what happened.”

216. He continued, “It’s kind of, you see a hologram at Disney World in the haunted house, I don’t know how they do it, it’s not real. When you take your kids to the haunted house and there are ghosts flying around, it’s not real, it’s staged . . . I don’t know what the trick is here, I got a good suspicion. But when you’ve got Wolfgang Halbig . . . he went and investigated, no paperwork, no nothing, it’s bull.”

217. Later, Jones stated, “But what about how for a mass shooting in Pakistan, they got photos of Sandy Hook kids,” and referring to an Infowars article, stated, “it’s like the same P.R. company is running this . . . and then they try to hit us with fake copyright deals whenever we show this.”

218. Jones put the article on the screen and read the headline: “Mystery: Sandy Hook Victim Dies (Again) in Pakistan.”

219. A reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiff fabricated the death of his wife.

220. On information and belief, this episode was also broadcast through Jones’s radio affiliates.

221. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

³³ <https://www.mediamatters.org/embed/clips/2016/11/29/51284/gcn-alexjones-20150707-shooting;https://www.youtube.com/watch?v=8YV1eWq8YSc>.

³⁴ <https://www.youtube.com/watch?v=jCOe3qlgyFA>.

November 17, 2016

222. On November 17, 2016, the Alex Jones Show broadcast an episode in which Alex Jones claimed that he had never claimed that Sandy Hook was a hoax. Almost immediately thereafter, he rehearsed a number of his common arguments that Sandy Hook was a hoax.

223. These included that “Anderson Cooper is using a green screen, his nose disappears”; “they have kids going in circles back into the buildings”; “the building was closed years before”; “it was filthy”; “no emergency helicopters were launched”; and “they’re sealing the death certificates and everything.”

224. Jones continued, “we’ve sent reporters up there, man, and that place is like *Children of the Corn* or something. I mean it is freaking weird.”

225. Jones further referenced “weird videos of reported parents of kids laughing and then all of a sudden they do the hyperventilating to cry to go on TV,” suggesting that parents of children killed at Sandy Hook were acting.³⁵

226. A reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiff fabricated the death of his wife.

227. On information and belief, this episode was also broadcast through Jones’s radio affiliates.

228. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

November 18, 2016

229. On November 18, 2016, Jones broadcast a video now advertised on YouTube under the title, “Alex Jones Final Statement on Sandy Hook.”³⁶

230. During that video, Jones stated, “I want to reach out to my listeners as well and just clarify where I stand on the reported tragedy at Sandy Hook that took place at that elementary school.”

231. He continued: “For the last three or four years, it’s been mainstream media’s number-one attack against me to say that I said there was never anyone that actually died there. I’ve hosted debates against both sides, and I’ve been criticized by both sides—people that say that no one died there and people who say that the official story is exactly as we’ve been told. And I’ve always said that I’m not sure about what really happened, that there’s a lot of anomalies and there has been a cover-up of whatever did happen there.”

³⁵ <https://www.youtube.com/watch?v=KxwnPqwxear>; <https://www.mediamatters.org/blog/2016/11/17/trump-ally-alex-jones-doubles-down-sandy-hook-conspiracy-theories/214524>.

³⁶ <https://www.youtube.com/watch?v=MwudDfzIyAk>.

232. He stated: “There’s a few clips Hillary used in her campaign of me out of context saying I can see how people that look at all this evidence say no kids died there and this whole thing is a giant hoax, but at the same time there is some evidence that people died there. They take that out of context and misrepresent it. That’s why they’re the deceptive corporate media. But for those who do have an attention span for, say, 10 minutes or so, I will present to you the questions. And I’m going to be quite frank, I don’t know what really happened. I know there are real mass shootings. I know people lose children. I’m a father. It hurts my heart. So I don’t know what the truth is. All I know is the official story of Sandy Hook has more holes in it than Swiss cheese.”

233. Jones rehearsed several of his most commonly employed arguments that the Sandy Hook shooting was staged, including that Anderson Cooper was standing in front of “a blue screen or a green screen,” that video was “looped,” and that “one of the reported fathers of the victims . . . [was] doing classic acting training.”

234. In closing, Jones said, “This is a tragedy. I wish it never would have happened. But quite frankly, I wish that the official story was true because that’s a lot less scary than them staging something like this. But when you think about how they staged [weapons of mass destruction] to kill over a million Iraqis, when you think about all the other hoaxes, all the other lies, all the other rigging, and the way they’re freaking out about it and trying to cover up every level of it, it just makes me ask what really happened there?”

235. The clear implication of these statements is that the accepted account of Sandy Hook—that the plaintiff lost his wife in the shooting—is false, and that the plaintiff has fabricated his wife’s death.

236. On information and belief, this episode was also broadcast through Jones’s radio affiliates.

237. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

November 28, 2016

238. On November 11, 2016, plaintiff Erica Lafferty published an op-ed in USA Today asking President-Elect Trump to disavow Alex Jones and other people who falsely assert that the Sandy Hook shooting was a hoax.³⁷

239. In response to the open letter, Infowars broadcasted a five-minute rant by Owen Shroyer, an Infowars “reporter,” defending Jones and attacking Lafferty.³⁸

³⁷ Erica Lafferty, *Mr. Trump, denounce Alex Jones : Sandy Hook Principal’s Daughter*, USA Today (Nov. 25, 2016), <https://www.usatoday.com/story/opinion/2016/11/25/donald-trump-sandy-hook-alex-jones-column/94335420/>.

³⁸ <https://www.youtube.com/watch?v=9PdrIrSCLu0>.

240. Shroyer directly addressed Lafferty, stating, “Your logic [about gun control] failed your mother.”

241. Shroyer directly addressed Lafferty, accusing her of saying, “without any proof,” that Alex Jones had said that Sandy Hook was a hoax.

242. Shroyer stated, “[Jones is] not the one who’s denying Sandy Hook ever happened.”

243. These statements were obviously untrue: Alex Jones has denied many times that Sandy Hook ever happened.

244. Shroyer stated falsely that Lafferty had asserted that then-President-Elect Trump needed to face the death of a loved one.

245. This statement falsely described Lafferty’s appeal to sympathy as if it were a threat on the family of the President-Elect of the United States.

246. Shroyer repeatedly cited Halbig, saying that he has “done the best reporting” on the Sandy Hook shooting.

247. He stated to Lafferty, “Why are you butting heads with people [Jones and Halbig] that want to find out the truth of what happened to your mother?”

248. The truth about Lafferty’s mother, Dawn Hochsprung, is that she is dead.

249. Dawn Hochsprung is dead because, on the morning of December 14, 2012, she sacrificed her life trying to save her students from Adam Lanza’s murderous rampage at Sandy Hook Elementary School.

March 8, 2017

250. On the March 8, 2017 edition of The Alex Jones Show, Jones hosted Eddie Bravo.

251. During the interview, Bravo stated, “Dr. Steve Pieczenik, and you got some heat for this, this is kind of changing the subject a little bit. Dr. Steve Pieczenik, on your show, said that no kids died at Sandy Hook, that it was a homeland security drill that they passed off as a real—”

252. Jones stated, “He says that. And I’ve been hit really hard with it. I can’t prove it one way or the other. I know Anderson Cooper is standing up there and turns and his whole nose disappears. I work in TV, I know what a blue screen is, bro.”

253. A reasonable person would understand Jones and Bravo to have been stating that the Sandy Hook massacre was faked, and that the plaintiff participated in a fraud that was based on lying about the death of his wife.

254. On information and belief, this episode was also broadcast through Jones's radio affiliates.

255. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

April 22, 2017

256. On April 22, 2017, the Alex Jones Show broadcast an episode, also released on YouTube, entitled "Sandy Hook Vampires Exposed."³⁹

257. During that episode, Jones showed video footage of an interview between one of the Sandy Hook parents and Anderson Cooper. Over this footage, Mr. Jones stated: "And then we've got Anderson Cooper, famously, not just with the flowers blowing and a fake, but when he turns, his nose disappears repeatedly because the green-screen isn't set right. And they don't like to do live feeds because somebody might run up. CNN did that in the Gulf War and admitted it. They just got caught two weeks ago doing it in supposedly Syria. And all we're saying is, if these are known liars that lied about WMDs, and lied to get us in all these wars, and backed the Arab Spring, and Libya, and Syria, and Egypt, and everywhere else to overthrow governments, and put in radical Islamicists [sic], if they do that and have blood on their hands, and lied about the Iraq War, and were for the sanctions that killed half a million kids, and let the Islamicists [sic] attack Serbia, and lied about Serbia launching the attack, when it all came out later that Serbia didn't do it, how could you believe any of it if you have a memory? If you're not Dory from 'Finding Dory,' you know, the Disney movie. Thank god you're so stupid, thank god you have no memory. It all goes back to that."

258. Jones told his audience that they should not "believe any of it."

259. As discussed throughout this complaint, the "faked" Anderson Cooper interview is one of Jones's favorite arguments that the entire Sandy Hook massacre was fabricated and that the plaintiff was an actor who faked his wife's death.

260. During the April 22, 2017 broadcast, Jones and an Infowars producer made other statements rehearsing familiar themes from the defendants' campaign of lies and abuse.

261. In conversation with the producer, Jones stated: "And that's on helicopter footage, and then they say it never existed, and later admit it does, and the school was closed until that year, in the videos it's all rotting and falling apart and nobody is even in it, and the kids are going in circles, in and out of the building with their hands up, and they never called rescue choppers. I mean, exactly."

262. The Infowars producer responded: "There's some supposed dash footage where the people are smiling and getting their lunches ready, police officers. You think you're going to have smiling police officers at a time when they're supposedly bringing out twenty dead kids? And they're smiling and getting their lunches ready."

³⁹ <https://www.youtube.com/watch?v=rUn1jKhWTXI>.

263. Mr. Jones responded: “And they had Port-A-Potties being delivered an hour after it happened, for the big media event.”

264. The Infowars producer responded: “We’ve never seen, there was never been any even blurred photos of any bodies or anything We didn’t even get blurred images with the dead kids in Syria. We got crisp photos.”

265. Especially knowing the defendants’ previous statements, a reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiff fabricated the death of his wife. A reasonable person would also understand the defendants to be stating that the plaintiff was one of the “Sandy Hook Vampires.”

April 28, 2017

266. On April 28, 2017, Jones held a press conference in which he was asked if he believes that Sandy Hook was a “false flag.” Jones stated: “I think we should investigate everything because the government has staged so much stuff, and then they lie and say that I said the whole thing was totally fake when I was playing devil’s advocate in a debate. I said maybe the whole thing is real, maybe the whole thing is fake. They were using blue screens out there Yes, governments stage things.”⁴⁰

267. Especially knowing the defendants’ previous statements, a reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiff fabricated the death of his wife.

June 13, 2017

268. On June 13, 2017, Jones posted a video to the InfoWars Facebook page in which he once again rehearsed his lie about the “faked” CNN interview. Jones stated: “But there’s been a cover-up. Anderson Cooper got caught, faking where his location was with blue-screen. I mean, it’s all there.”⁴¹

269. Especially knowing the defendants’ previous statements, a reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiff fabricated the death of his wife.

The Megyn Kelly Interview

The Preview

270. On June 11, 2017, television news personality Megyn Kelly interviewed Jones for her weekly news magazine on NBC News.

⁴⁰ <https://www.youtube.com/watch?v=StOyqyt0fkY>.

⁴¹ <https://www.facebook.com/80256732576/videos/10155465593882577/>.

271. NBC released a preview of the interview on the internet on the following day.

272. In footage contained in the preview, Jones stated, “Well, Sandy Hook’s complex because I have had debates where, we devil’s advocates have said the whole story is true, and then I have had debates where I have said that none of it is true.”

273. Later, Kelly stated, “When you say parents faked their children’s deaths, people get very angry.”

274. In response, Jones asserted that people do not get angry about the deaths that resulted from the sanctions against Iraq or other tragedies in the world, and complained about the media’s coverage of such events. He did not deny claiming that the families faked their loved ones’ deaths.

275. Kelly stated, “That doesn’t excuse what you did and said about Newtown, and you know it.”

276. Jones stated, “Here’s the difference. I looked at all the angles of Newtown, and I made my statements long before the media even picked up on it.”

277. The most reasonable interpretation of this statement is that Jones was saying that his account—in which he repeatedly stated that the shooting was staged, that family members were actors, and that no one was killed—was more reliable than the established media account, and true.

278. These statements were heard by millions of people.

June 15, 2017 – Infowars

279. During a video released on Infowars on June 15, 2017, Jones stated the following about his interview with Megyn Kelly: “She said things like, ‘Oh, you talked about Newtown not happening and hurt people’s feelings,’ and I explained, ‘No I looked at all different angles, [unintelligible] could have happened, but they staged the WMDs in Iraq and they staged the babies in the incubators, so they’ve lied about babies before . . . I said, they’ve staged babies in incubators in Bush I, and then they did it again . . . so it could’ve been staged, because they stage things.’”

280. Especially knowing the defendants’ previous statements, a reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiff fabricated the death of his wife.

281. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

Alex Jones's June 18, 2017 Pre-NBC-Broadcast Programming

282. The final version of Jones's interview with Megyn Kelly aired on NBC News on June 18, 2017.

283. Before the interview aired that day, Jones published several pre-show videos on Infowars.

284. During those videos, he made repeated statements suggesting that the Sandy Hook shooting did not happen and/or that the plaintiff's wife did not die there.

- A. In one, he said, "But I'm looking at it I think Newtown did happen. But I'm not the creator of people questioning Newtown and Sandy Hook. My guests covered it, I've covered it."
- B. Later, he said, "My intel is that I've seen the parents and it looked real to me. If I can't prove something one hundred percent I'm not going to go there. We know governments have staged things and you have a right to question it."
- C. He continued, "But you have the total right to question Sandy Hook. You know, I'm tempted to make a documentary about it, just for my own hellish experience. It's like the babies in the incubators . . . none of it was true."
- D. He added, "No, I've been saying since it happened that I don't know whether the official story's true or not. And now you can't prove it one way or the other there's some anomalies. But the parents look pretty legitimate to me."
- E. While interspersed with vacillations, Jones's statements convey a clear message: that the accepted account of the Sandy Hook shooting—that the plaintiff lost his wife there—is untrue, and that the plaintiff fabricated the death of his beloved spouse. Of special note was his abnormal and "official" tone, which a reasonable person knowing Jones's show would interpret as a "wink" at his audience.

285. Later that day, Jones hosted Dr. Steve Pieczenik as a guest on his program.

286. As discussed in paragraphs 123 through 128 of this complaint, Pieczenik had stated in a previous appearance on Jones's show that no children died at Sandy Hook and that the parents were actors.

287. In introducing Pieczenik on this occasion, Jones stated, "He's a smart guy, he doesn't buy into what happened, reportedly there in Newtown I personally can't prove it one way or the other so I'm just going to say that my heart goes out to the families and I believe it happened."

288. During his appearance on the show, Pieczenik said, “All the hedge fund owners . . . left down to Miami thanks to Dan Malloy and Sandy Hook. So every one of these paid [Sandy Hook] parents, whoever they may be, are totally, totally disingenuous.”

289. In response to Pieczenik’s statement, Jones said, in his abnormal, “official” tone, “All I know is that they’ve staged fake things before.”

290. A reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiff fabricated the death of his wife.

291. These statements were heard by hundreds of thousands, if not millions of people.

The June 18, 2017 NBC Broadcast

292. During the interview with Kelly that aired on NBC, Jones made several additional statements suggesting that the shooting never happened.

293. At one point, Kelly read Jones’s previous statement describing the Sandy Hook shooting as a hoax, recounted in paragraphs 171 through 179 of this complaint.

294. In response, Jones stated, “At that point—and I do think there was some cover up and some manipulation—that is pretty much what I believed. But then I was also going into devil’s advocate, but then we know there’s mass shootings and these things happen. So again—”

295. Later, Kelly said, “If you wrongly went out there and said it was a hoax. That’s wrong.”

296. In response, Jones said, “But what I already answered your question was—listeners and other people are covering this—I didn’t create that story.”

297. Later, Kelly stated, “But Alex, the parents—one after the other—devastated. The dead bodies that the coroner autopsied.”

298. In response, Jones said, “And they blocked all that and they won’t release any of it. That’s unprecedented—”

299. Later, Kelly asked Jones if he was playing “devil’s advocate” when he said “the whole thing is a giant hoax.”

300. Jones responded, “Yes, because I remember in, even that day— I will go back for memory—them saying but then some of it looks like it’s real. But what do you do when they got the kids going in circles in and out of the building with their hands up. I’ve watched the footage and it looks like a drill.”

301. Even in that statement, while claiming—falsely—that he was playing “devil’s advocate” when making those previous statements, Jones again asserted that the Sandy Hook shooting did not happen.

302. Next, Kelly said, “When you say parents faked their children’s deaths, people get very angry.”

303. Jones responded, “Oh, I know—but they don’t get angry about the half million that Iraq from the sanctions or the don’t get angry about all the legal—”

304. Later, Kelly said, “That doesn’t excuse what you did and said about Newtown, you know it.”

305. Jones responded, “Here’s the difference, here’s the difference—I looked at all the angles of Newtown and I made my statements long before the media even picked up on it.”

306. In a voiceover, Kelly then noted that Jones, despite being “asked . . . numerous times what he now believes . . . never completely disavowed his previous statements.”

307. It then played clip of Jones saying, “I tend to believe that children probably did die there, but then you look at all the evidence on the other side, I can see how other people believe nobody died there.”

308. There is no evidence “on the other side.”

309. A reasonable person would understand Jones’s statements to assert that the Sandy Hook massacre was staged, and that the plaintiff fabricated the death of his wife.

310. More than three million people saw and heard these statements by Jones.

Alex Jones’s June 18, 2017 Counter-Programming

311. Meanwhile, as the interview played on NBC, Jones himself was broadcasting a live play-by-play video commentary on Infowars.

312. The Sandy Hook segment of the NBC interview began with a Megyn Kelly voiceover describing Jones’s statements that Sandy Hook was a hoax. As the voiceover played, Jones said, “Babies in the incubators.”

313. As evidenced by statements recounted previously in this complaint, “babies in the incubators” is a well-established Alex Jones metonym for a staged event.

314. This statement is properly interpreted as a reiteration and reaffirmation of Jones’s previous statements that the Sandy Hook shooting was staged and that no children died there.

315. Later, as his statement that he “looked at all the angles of Newtown” in the NBC interview played in the background, Jones said, “I said I thought it happened before they were picked up. They never showed my final analysis.”

316. This statement appears to be an admission that Jones never actually believed that Sandy Hook was a hoax, even as he maintained unequivocally that it was.

317. On information and belief, these statements were also broadcast on Alex Jones’s radio affiliates.

318. Hundreds of thousands, if not millions, of people heard these statements.

June 26, 2017

319. During the June 18, 2017 profile of Jones for her NBC show Sunday Night with Megyn Kelly, Ms. Kelly interviewed one of the Sandy Hook parents, Neil Heslin, about the claims made by Jones, including that “the whole thing was fake” and “a giant hoax.” Addressing Jones’s lies, Heslin told Kelly, “I lost my son. I buried my son. I held my son with a bullet hole through his head.”

320. On June 26, 2017, Infowars broadcast a segment hosted by “reporter” Owen Shroyer in which Shroyer claimed to have reviewed evidence showing it was impossible for Mr. Heslin to have held his son and seen his injury. This broadcast was meant to reinforce and support the underlying lie that the Sandy Hook parents are fakes.⁴²

321. Shroyer stated: “The statement [Heslin] made, fact-checkers on this have said cannot be accurate. He’s claiming that he held his son and saw the bullet hole in his head. That is his claim. Now, according to a timeline of events and a coroner’s testimony, that is not possible.”

322. Shroyer’s support for this statement was video footage in which the local medical examiner informed reporters that the slain students were initially identified using photographs rather than in person. However, the Sandy Hook parents were permitted to see and hold their children soon thereafter.

323. Shroyer stated: “You would remember if you held your dead kid in your hands with a bullet hole. That’s not something you would just misspeak on.” He continued, noting that Heslin was “making a pretty extreme claim that would be a very thing vivid in your memory, holding his dead child.”

324. Shroyer then stated: “The conspiracy theorists on the internet out there have a lot of questions that are yet to be answered. You say whatever you want about the event, that’s just a fact.”

⁴² <https://www.infowars.com/zero-hedge-discovers-anomaly-in-alex-jones-hit-piece/>.

325. In concluding his report, Shroyer stated: “Will there be a clarification from Heslin or Megyn Kelly? I wouldn’t hold your breath. [Laugh]. So now they’re fueling the conspiracy theory claims. Unbelievable.”

326. A reasonable person would understand these statements, including the title of the embedded video, to assert that the Sandy Hook massacre was staged, and that the plaintiff fabricated the death of his wife.

327. These statements were heard by at least tens of thousands, if not millions, of people.

328. On information and belief, the defendants have published other similar statements of which the plaintiff does not know at this time, but would obtain with reasonable discovery.

COUNT ONE – Invasion of Privacy by False Light; Civil Conspiracy

329. All previous allegations in this complaint are incorporated as if fully set forth herein.

330. The defendants, as part of a campaign of harassment and abuse, broadcast numerous outrageous lies about the plaintiff that represented such major misrepresentations of the plaintiff’s character, history, activities or beliefs that serious offense may reasonably be expected to be taken by a reasonable person in their position.

331. The false light in which the defendants’ statements placed the plaintiff would be highly offensive to a reasonable person.

332. The defendants had knowledge that their statements were lies, or acted with reckless disregard as to the falsity of their statements and the false light in which the plaintiff would be placed.

333. These false publications have caused the plaintiff actual and substantial damages.

334. In light of their prior experience with similar sorts of reckless and false statements, the defendants knew that their publications could cause the plaintiff to suffer harassment and potential violence.

335. The plaintiff is a private individual and is neither a public official nor public figure.

336. The defendants broadcast their outrageous, cruel, and malicious lies about the plaintiff with knowledge that the statements were false or with reckless disregard as to whether or not they were true.

337. The defendants combined to conduct their campaign of harassment and abuse, which included numerous unlawful acts or lawful acts by unlawful means.

338. The defendants combined to perform these unlawful acts pursuant to their scheme

to harass and abuse the plaintiff and in furtherance of that scheme.

339. These acts of the defendants resulted in damage to the plaintiff.

COUNT TWO – Defamation and Defamation *per se*; Civil Conspiracy

340. All previous allegations in this complaint are incorporated as if fully set forth herein.

341. In repeatedly publishing false statements asserting or reasonably understood to be asserting that the plaintiff's wife did not die; and/or that the episode in which she was killed was staged or she was still alive; and/or the plaintiff was an actor who faked his wife's death; the defendants published numerous defamatory statements.

342. These publications were not only individually defamatory, but part of a continuous campaign of statements, starting in 2013 and continuing through at least 2017, stating, asserting, implying and suggesting that the plaintiff faked his wife's death and/or was an actor lying about the death of his wife.

343. The statements contained in the defendants' campaign of harassment and abuse constitute defamation *per se*. The harmful nature of the defamatory statements is self-evident. The defamatory statements implicate the plaintiff in heinous criminal conduct. False implications of criminal conduct represent classic defamation *per se*.

344. The defendants' defamatory publications readily identified the plaintiff to millions of people.

345. The defendants' defamatory publications were broadcast to millions of people.

346. The defendants' defamatory publications have injured the plaintiff's reputation and image, and they have exposed the plaintiff to public and private hatred, contempt, and ridicule. These false publications have caused the plaintiff actual and substantial damages.

347. In light of their prior experience with similar sorts of reckless and false statements, the defendants knew that their publications could cause the plaintiff to suffer harassment and potential violence.

348. The plaintiff is a private individual and is neither a public official nor public figure.

349. The defendants broadcast their outrageous, cruel, and malicious lies about the plaintiff with knowledge that the statements were false or with reckless disregard as to whether or not they were true.

350. The defendants combined to conduct their campaign of harassment and abuse, which included numerous unlawful acts or lawful acts by unlawful means.

351. The defendants combined to perform these unlawful acts pursuant to their scheme to harass and abuse the plaintiff and in furtherance of that scheme.

352. These acts of the defendants resulted in damage to the plaintiff.

COUNT THREE – Intentional Infliction of Emotional Distress; Civil Conspiracy

353. All previous allegations in this complaint are incorporated as if fully set forth herein.

354. In broadcasting their campaign of outrageous and false statements about the plaintiff, the defendants intended to inflict emotional distress or knew, or should have known, that emotional distress was the likely result of their conduct.

355. The defendants' conduct was extreme and outrageous.

356. The defendants' conduct was the cause of the plaintiff's distress.

357. The emotional distress sustained by the plaintiff was severe.

358. The defendants' conduct was so outrageous in character, and so extreme in degree, as to go beyond all possible bounds of decency, and to be regarded as atrocious, and utterly intolerable in a civilized community.

359. In light of their prior experience with similar sorts of false and reckless statements, the defendants knew that their publications could cause the plaintiff to suffer harassment and potential violence.

360. The plaintiff has suffered actual and substantial damages.

361. The plaintiff is a private individual and is neither a public official nor public figure.

362. The defendants broadcast their outrageous, cruel, and malicious lies about the plaintiff with knowledge that the statements were false or with reckless disregard as to whether or not they were true.

363. The defendants combined to conduct their campaign of harassment and abuse, which included numerous unlawful acts or lawful acts by unlawful means.

364. The defendants combined to perform these unlawful acts pursuant to their scheme to harass and abuse the plaintiff and in furtherance of that scheme.

365. These acts of the defendants resulted in damage to the plaintiff.

COUNT FOUR – Negligent Infliction of Emotional Distress; Civil Conspiracy

366. All previous allegations in this complaint are incorporated as if fully set forth herein.

367. The defendants' campaign of outrageous, cruel, and malicious lies created an unreasonable risk of causing the plaintiff emotional distress.

368. The plaintiff's distress was foreseeable.

369. The plaintiff's emotional distress was severe enough that it might result in illness or bodily harm.

370. The defendants' outrageous, cruel, and malicious conduct was the cause of the plaintiff's distress.

371. The plaintiff has suffered actual and substantial damages.

372. In light of their prior experience with similar sorts of reckless and false statements, the defendants knew that their publications could cause the plaintiff to suffer harassment and potential violence.

373. The plaintiff is a private individuals and is neither a public official nor public figure.

374. The defendants broadcast their outrageous, cruel, and malicious lies about the plaintiff with knowledge that the statements were false or with reckless disregard as to whether or not they were true.

375. The defendants combined to conduct their campaign of harassment and abuse, which included numerous unlawful acts or lawful acts by unlawful means.

376. The defendants combined to perform these unlawful acts pursuant to their scheme to harass and abuse the plaintiff and in furtherance of that scheme.

377. These acts of the defendants resulted in damage to the plaintiff.

COUNT FIVE: Connecticut Unfair Trade Practices Act, Conn. Gen. Stat. § 42-110a et seq.

378. All previous allegations in this complaint are incorporated as if fully set forth herein.

379. The defendants unethically, oppressively, immorally, and unscrupulously developed, propagated, and disseminated outrageous and malicious lies about the plaintiff, and they did so for profit.

380. This campaign of lies, abuse, and harassment was a deceptive practice and offended

public policy.

381. The defendants' reprehensible conduct caused substantial injury to the plaintiff and other consumers that is not outweighed by any countervailing benefits to anyone, and that the plaintiff himself could not have reasonably avoided.

382. The defendants' conduct was a foreseeable cause of and a substantial factor causing the plaintiff's injury.

383. The plaintiff is a private individuals and is neither a public official nor public figure.

384. The defendants broadcast their outrageous, cruel, and malicious lies about the plaintiff with knowledge that the statements were false or with reckless disregard as to whether or not they were true.

385. The defendants combined to conduct their campaign of harassment and abuse, which included numerous unlawful acts or lawful acts by unlawful means.

386. The defendants combined to perform these unlawful acts pursuant to their scheme to harass and abuse the plaintiff and in furtherance of that scheme.

387. These acts of the defendants resulted in damage to the plaintiff.

WHEREFORE, THE PLAINTIFF CLAIMS DAMAGES IN EXCESS OF FIFTEEN THOUSAND DOLLARS AND THE FOLLOWING RELIEF AS FURTHER SET FORTH BELOW:

Plaintiff seeks relief as follows:

- A. Monetary damages;
- B. Punitive damages;
- C. Attorneys' fees;
- D. Costs;
- E. Declarative relief;


This matter is within the jurisdiction of this court.

Of this writ, with your doings thereon, make due service and return.

Dated at Bridgeport, Connecticut this 2nd day of July, 2018.

THE PLAINTIFF,

By



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JURIS #32250

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
VICTORIA DIVISION**

| | | |
|---------------------------|---|---------------------------|
| IN RE: | § | Case No. 22-60043 |
| | § | |
| FREE SPEECH SYSTEMS, LLC, | § | Chapter 11 (Subchapter V) |
| | § | |
| Debtor. | § | |

EXHIBIT C

| | | |
|---|----------|--------------------------|
| Return Date: December 11, 2018 | : | JUDICIAL DISTRICT |
| | : | |
| WILLIAM SHERLACH & ROBERT PARKER | : | OF FAIRFIELD |
| | : | |
| v. | : | AT BRIDGEPORT |
| | : | |
| ALEX JONES, ET AL. | : | NOVEMBER 15, 2018 |

COMPLAINT

INTRODUCTION

1. This is a civil action for damages leading from the mass shooting that happened at Sandy Hook Elementary School on December 14, 2012.

2. Just before 9:30 AM that morning, Adam Lanza shot his way into the locked school with a Bushmaster XM15-E2S.

3. In less than five minutes, he shot and killed 20 first-grade children and 6 adults. Two others were wounded.

4. That tragic day left behind 26 families that will never be whole again.

5. Every day since, those families have struggled to reconcile themselves with the irrevocable loss of their beloved sons, daughters, sisters, brothers, and mothers.

6. Even though overwhelming—and indisputable—evidence exists showing exactly what happened at Sandy Hook Elementary School on December 14, 2012, certain individuals have persistently perpetuated a monstrous, unspeakable lie: that the Sandy Hook shooting was staged, and that the families who lost loved ones that day are actors who faked their relatives' deaths.

7. Defendant Alex Jones is a conspiracy-theorist radio and internet personality who holds himself out as a journalist. He is the most prolific among those fabricators. But he does not work alone: along with his various business entities, Jones is the chief amplifier for a group that has worked in concert to create and propagate loathsome, false narratives about the Sandy Hook shooting and its victims, and promote their harassment and abuse.

8. Jones, along with these others, has persisted in the perpetuation and propagation of this outrageous, deeply painful, and defamatory lie in the face of a mountain of evidence to the contrary, and with no supporting evidence.

9. Alex Jones does not in fact believe that the Sandy Hook Shooting was a hoax—and he never has.

10. Nevertheless, time and again, Jones has accused the Sandy Hook families, who are readily identifiable, of faking their loved ones' deaths, and insisted that the children killed that day are actually alive.

11. Jones has deliberately employed these false narratives about the Sandy Hook shooting, the victims, and their families as part of a marketing scheme that has brought him and his business entities tens of millions of dollars per year.¹

12. Jones has an audience of millions. He has repeatedly urged them to "investigate" the Sandy Hook shooting. He has purposely published statements by other people who falsely assert that the Sandy Hook shooting was a hoax.

13. As a result of Jones's campaign, the families and survivors of the Sandy Hook shooting have been forced to endure malicious and cruel abuse at the hands of ruthless and unscrupulous people.

14. On a regular basis, the families and survivors have faced physical confrontation and harassment, death threats, and a sustained barrage of harassment and verbal assault on social media.

15. They have confronted strange individuals videotaping them and their children.

16. Some of them have moved to undisclosed locations to avoid this harassment.

17. The plaintiffs bring this action in defense of the values protected by the First Amendment to the U.S. Constitution, not in derogation of it.

18. Like any marketplace, the marketplace of ideas that the First Amendment was meant to protect cannot function properly without accountability for reprehensible conduct like the defendants'. In fact, the defendants themselves have proven this to be so by their successful propagation of the blatantly false and harmful aspersions described in this Complaint.

19. The First Amendment has never protected demonstrably false, malicious statements like the defendants'. This is because "there is no constitutional value in false statements of fact. Neither the intentional lie nor the careless error materially advances society's interest in 'uninhibited, robust and wide-open' debate on public issues."²

¹ See Seth Brown, *Alex Jones's Media Empire Is a Machine Built to Sell Snake-Oil Diet Supplements*, N.Y. MAG. (May 4, 2017), <http://nymag.com/selectall/2017/05/how-does-alex-jones-make-money.html>; Alex Seitz-Wald, *Alex Jones: Conspiracy, Inc.*, SALON (May 2, 2013), https://www.salon.com/2013/05/02/alex_jones_conspiracy_inc/.

² *Gertz v. Robert Welch, Inc.*, 418 U.S. 323, 340 (1974) (quoting *New York Times Co. v. Sullivan*, 376 U.S. 254, 270 (1964)). While the Supreme Court has afforded "a measure of strategic protection" to certain kinds of falsehoods to ensure that speech protected by the First Amendment has "the breathing space to survive," it has never wavered in its determination that falsehoods have no First Amendment value. *Id.* at 342. None of the Court's protective doctrines interfere with the plaintiffs' claims in this case.

20. This lawsuit is about holding Jones and the other defendants accountable for the effects of their outrageous, malicious, and deeply hurtful lies.

PARTIES

21. The plaintiffs are the immediate family of one child and one educator killed at Sandy Hook Elementary School, in Newtown, Connecticut, on December 14, 2012.

22. Plaintiff Robert “Robbie” Parker is the father of murdered first-grader Emilie Parker, who was six years old at her death on December 14, 2012. He resides in King County, Washington.

23. The plaintiff, William Sherlach, is the spouse of Mary Sherlach, who was a 56-year-old school psychologist killed at Sandy Hook Elementary School, in Newtown, Connecticut, on December 14, 2012. He resides in Fairfield County, Connecticut.

24. The defendants are out-of-state business entities and individuals residing in Connecticut, Texas, Florida, and Minnesota.

25. Defendant Alex Emric Jones (“Alex Jones” or “Jones”) is a radio and internet personality who holds himself out as a journalist and is a resident of Austin, Texas. He is the host of shows including “The Alex Jones Show,” and owns and operates the websites Infowars.com and PrisonPlanet.com. Jones’s shows have millions of weekly listeners and are syndicated on approximately 60 radio stations. Jones can be served at his place of business, Infowars, at 3019 Alvin Devane Blvd, Suite 300-350, Austin, Texas 78741.

26. Defendant Infowars, LLC (“Infowars”) is a Texas limited liability company that produces and broadcasts Alex Jones’ Infowars, which holds itself out as a news and journalism platform. Its principal offices is at 3019 Alvin Devane Blvd., Suite 300-350, Ausitn Texas 78741.

27. Defendant Free Speech Systems, LLC is a Texas limited liability company. It owns Infowars.com. Its principal office is located at 910 West May Street, Austin, Texas 78704.

28. Defendant Infowars Health LLC is a Texas limited liability company. Its principal office is located at 509 West 18th Street, Austin, Texas 78701.

29. Defendant Prison Planet TV LLC is a Texas limited liability company. Its principal offices located at 910 West May Street, Austin, Texas 78704.

30. All the above-mentioned Texas business-entity defendants are owned, controlled, and/or operated by defendant Alex Jones and are employed to hold and generate revenue for him. They and Jones shall hereinafter be referred to collectively as “the Jones defendants.”

31. Defendant Wolfgang Halbig holds himself out as a journalist and investigator and resides in Sorrento, Florida. He is the creator and operator of the defamatory and predatory websites SandyHookJustice.com and MonteFrank.com.

32. Defendant Cory T. Sklanka holds himself out as a journalist and investigator and resides in Meriden, Connecticut. He has worked closely with Halbig in Halbig's Sandy Hook "investigative" work, including acting as driver and camera operator when Halbig has visited Connecticut to conduct those activities, and, on information and belief, participating in the operation of SandyHookJustice.com and co-hosting Sandy Hook Justice broadcasts.

33. Defendant Genesis Communications Network, Inc., is a privately held company incorporated in Minnesota. It distributes radio programs produced by Alex Jones and Infowars, and was founded by Ted Anderson, who has appeared many times on Jones's shows, to promote his other business, defendant Midas Resources.³ Its principal offices are located at 190 Cobblestone Lane, Burnsville, Minnesota, 55337.

34. Defendant Midas Resources, Inc., is a privately held company incorporated in Minnesota. Its principal offices are located at 190 Cobblestone Lane, Burnsville, Minnesota, 55337. It has sold precious metals, dietary supplements, and other items as advertised by and in cooperation with defendant Genesis Communications and the Jones defendants.⁴

THE DEFENDANTS' KNOWLEDGE, ASPIRATIONS, AND INFLUENCE

35. Jones has a radio audience of more than two million people. The Alex Jones Show is syndicated on more than 60 radio stations. On the internet, Jones and Infowars reach millions more. Jones's YouTube channel has more than 2.3 million subscribers.

36. Jones has repeatedly expressly stated that he aspires to spur his followers to action, and has acknowledged that his exhortations have that effect. This is especially true with regard to the Sandy Hook shooting.

37. For instance, on June 12, 2017, The Alex Jones Channel posted a video. Speaking of his interview with Megyn Kelly on NBC and specifically about Sandy Hook, Jones stated, "That's why you keep missing the main calculation. I am a precision-guided heavy munition coming in on top of you So I hit the barbed wire, and everyone comes in over me. Have you seen what we've done how talk radio now sounds just like me Have you seen how the whole paradigm is globally shifting and you can't hold it back?"

38. Later in the video, Jones stated, "I'm making it safe for everyone else to speak out just like Trump's doing, on a much bigger scale."

39. Jones has not just attempted to give his followers permission to question reality. He also has specifically urged them to action.

40. His followers have shown themselves ready to comply.

³ <https://www.youtube.com/watch?v=M-aQntV8meQ>; Nate Blakeslee, *Alex Jones Is About to Explode*, TEX. MONTHLY (Mar. 2010) <https://www.texasmonthly.com/politics/alex-jones-is-about-to-explode/>.

⁴ *Id.*

41. On November 27, 2016, for instance, Jones spoke at length about “Pizzagate,” a baseless conspiracy theory alleging that Democratic operatives were running a child-sex ring out of a Washington, D.C. pizza restaurant. He urged his followers to “investigate” the matter.

42. “You have to go investigate it for yourself,” he told them. “But I will warn you, this story that’s been the biggest thing on the internet for several weeks, Pizzagate as it’s called, is a rabbit hole that is horrifying to go down Something’s going on. Something’s being covered up. This needs to be investigated.”

43. Jones’s followers came running to his call, as he knew they would.

44. The pizzeria received hundreds of threats. Its owner told *The New York Times*, “[W]e’ve come under constant assault. I’ve done nothing for days but try to clean this up and protect my staff and friends from being terrorized.”

45. The owner and staff, along with some of their families, were harassed on social media websites. The owner received death threats. Even musical groups that had performed at the pizzeria and nearby businesses were harassed.

46. On December 4, 2016, Edgar Maddison Welch, a self-described Alex Jones follower, drove from Salisbury, North Carolina, to Washington, D.C., and fired three rounds into the pizzeria with an AR-15-style rifle.

47. Welch told police that his objective was to “self-investigate” the Pizzagate conspiracy theory. In fact, just days before embarking on his violent “self-investigation,” Welch urged a friend to watch “PIZZAGATE: The Bigger Picture,” an Infowars video.

48. Shortly thereafter, Jones removed his November 27, 2016 video and scrubbed references to his advocacy of the Pizzagate conspiracy theory.

49. Similarly, many of the persons who have directly harassed or abused Sandy Hook families have been motivated by Jones’s urging that his listeners “investigate.”

50. In 2017, a Florida woman was sentenced to prison for threatening the father of a child killed at Sandy Hook.

51. She made four voicemail and email threats to the father, with statements like “you gonna die, death is coming to you real soon” and “LOOK BEHIND YOU IT IS DEATH.”

52. The woman’s defense lawyer stated that she was primarily motivated by what she had read and seen on Infowars.com, Jones’s website.

53. On numerous occasions, Jones has hosted on his show Wolfgang Halbig, a self-styled investigator who is amongst the most prominent of those people who falsely claim that the Sandy Hook shooting was a hoax.

54. Halbig is a 70-year-old former police officer and school administrator living in Florida. He has made more than 22 trips to Connecticut relating to the allegations of this Complaint, including delivering highly confrontational testimony before the Newtown Board of Education, and was warned by police that he would be charged with harassment unless he ceased contacting Newtown residents.

55. Defendant Sklanka has facilitated Halbig's harassing and defamatory activities in Connecticut. He has acted as Halbig's driver, camera operator, helped Halbig operate his website, and co-hosted broadcasts asserting that the Sandy Hook shooting was a hoax. On information and belief, Sklanka assisted and was present with Halbig when he filmed and harassed children families at the St. Rose of Lima church in Newtown, Connecticut on June 2, 2015.

56. On information and belief, Cory Sklanka actively assisted in operating the websites MonteFrank.com and SandyHookJustice.com through at least September 2016.

57. Cory Sklanka knew that Wolfgang Halbig's objective in his activities in Connecticut, on his websites, and in his broadcasts, was to publish Halbig's outrageous, hurtful, and defamatory statements about the plaintiffs, and to harass the plaintiffs, as alleged in this Complaint. In fact, he facilitated Halbig's activities, and agreed with Halbig to facilitate Halbig's activities, with the knowing purpose of achieving this objective, as well as the objective of giving Halbig's harassment and publications maximum reach.

58. Sklanka knew that the websites' purpose was to publish defamatory and otherwise legally actionable false statements about the plaintiffs, including that: (1) the Sandy Hook shooting was a hoax; (2) children or educators did not die in the Sandy Hook shooting; (3) the families of victims in the Sandy Hook shooting are actors or otherwise lying about their loved ones' deaths; and (4) families of Sandy Hook victims are engaging in fraud to profit from their loved ones' deaths. In fact, that is why he assisted Halbig in his "investigatory," defamatory, and harassing activities.

59. On information and belief, on September 3, 2016, Sklanka posted under a pseudonym, or facilitated the posting of, an article on MonteFrank.com, asserting:

Avielle Richman is a fabricated identity using the real life person Lenie Urbina of Sandy Hook, CT. Jeremy Richman of The Avielle Foundation continues to commit Fraud against the American public and against the world, collecting donations under false pretenses that his daughter died.⁵

60. The article also asserted:

Now that "Avielle Richman" and Lenie Urbina have been exposed as being the same person, we know that the "Avielle Foundation" is actively engaging in fraud and theft of donor's [sic] money. The Richman and Urbina families have been

⁵ Barry Miller, *Update: Wolfgang Halbig Threatened & MonteFrank.com Is Not Going Down*, MonteFrank.com (Sept. 3, 2016), <https://archive.is/e44tV#selection-203.0-203.284>.

caught red-handed and have a lot of explaining to do. This includes Sandy Hook Medical Examiner Dr. H. Wayne Carver who claimed to have performed an autopsy on “Avielle”/Lenie.⁶

61. Sklanka also hosted and published his own podcasts on YouTube about the Sandy Hook shooting under the username “SleightofSin.” Based on witness statements, the plaintiffs believe podcasts contain publications by Sklanka within the statute of limitations asserting that the Sandy Hook shooting was a hoax and that the families of victims fabricated their children’s deaths.

62. A video already in the plaintiffs’ possession indicates that Sklanka participated in and/or co-hosted a podcast published on March 25, 2015 in which he stated that “Sandy Hook . . . was all crappy acting,” and that he was “sick of people being destroyed by an event [Sandy Hook] that was fabricated, let alone other people that are possibly being destroyed due to an event that didn’t happen.”

63. In a video already in the plaintiffs’ possession, Sklanka described working closely with Halbig on Sandy-Hook-related activities. The participant speaking immediately after Sklanka noted that Halbig would be appearing on Alex Jones’s show the following day, and encouraged the podcast’s listeners to listen to that broadcast “on GCN” and “bombard the caller lines . . . and comment sections” to give “encouragement to the Wolf to get this action moving” and for “Alex Jones to investigate.” Another participant then argued that they should persuade Alex Jones to send Rob Dew to Connecticut with Halbig “to report.” Sklanka stated in response: “I second that.”

64. Faced with this lawsuit, Sklanka deleted his YouTube profile and other social media accounts, thus hiding those videos from public view. However, with reasonable discovery, the plaintiffs believe they would gain access to additional videos containing legally actionable publications by Sklanka and be able to enumerate them in greater detail.

65. The plaintiffs were not aware of Sklanka’s activities with Halbig until within the past year. Because Sklanka operated behind the scenes and under a pseudonym, the plaintiffs had no reason to know of his role in the activities related to this complaint.

66. Kevin Laprade, an Infowars videographer, accompanied Halbig on at least some of his “investigative” trips to Connecticut.⁷

67. Halbig has filed numerous Freedom of Information Act requests over the years since the shooting, seeking police documents, insurance claims, portable toilet orders, and other types of information.

68. Halbig has raised more than \$100,000, largely on GoFundMe.com, for his activities.

⁶ *Id.*

⁷ <https://www.facebook.com/mert.melfa/videos/539807396217619/>.

69. Tiffany Moser helped Halbig search Newtown Board of Education documents for evidence that the school was closed before the shooting. When she reported that all the evidence indicated that the school had been open, Halbig dismissed her.

70. Halbig was banned from St. Rose of Lima, a Newtown church, after he and others were seen videotaping children entering and exiting the building. On information and belief, Sklanka participated in this venture.

71. In May 2014, Halbig spoke at a public meeting of the Newtown Board of Education, in Newtown, Connecticut.

72. After the meeting, Leonard Pozner emailed Halbig, seeking to persuade him to leave the Sandy Hook families alone. Halbig never responded, but another person did. He stated: “Wolfgang does not wish to speak with you unless you exhume Noah’s body and prove to the world you lost your son.”

73. Halbig’s activities were well known when he first appeared on the Alex Jones Radio Show, and throughout the times during which Jones hosted his appearances; in fact, Jones invited and hosted him on his show, time and again, precisely because of his activities.

74. On his show, Jones expressly encouraged Halbig to continue these activities on numerous occasions.

75. During that broadcast of the Alex Jones Radio Show, Jones repeatedly advertised Halbig’s website, sandyhookjustice.com.

76. Halbig’s website made numerous false, outrageous, and defamatory statements about the plaintiffs.

- A. For instance, the website accused Jeremy Richman, father of Avielle Richman, who was murdered at Sandy Hook Elementary School on December 14, 2012, of having fabricated his daughter’s identity and faked her death “to steal money from hard-working Americans.” Those false and outrageous accusations were accompanied by pictures of Jeremy, Avielle, and an unrelated Newtown child.
- B. Halbig’s website further stated that “Jeremy Richman & Jennifer Hensel continue to deceive and defraud the American public and collect donations for The Avielle Foundation, for Avielle Richman claiming she is dead, when in reality, she is alive and was never their daughter.” It further stated: “The corruption, fraud, and treason must stop, especially at the Bridgeport, Connecticut Law Firm of Pullman & Comley LLC, managers of the My Sandy Hook Family Fund, actively engaging in FRAUD by soliciting donations from the public for a murder victim who is still alive.”⁸

⁸ <https://web.archive.org/web/20160322115755/http://sandyhookjusticereport.com:80/monte-frank/avielle-richman-1-20-students-supposedly-died-sandy-hook-school-shooting-verified-28-year-veteran-forensic-expert-witness-girl-photos-lenie-urbina/>.

- C. Halbig's website contained links to numerous Infowars and/or Alex Jones videos claiming that the Sandy Hook shooting was a hoax, as well as videos that contained imagery and the names of some of the plaintiffs' children.⁹
- D. It also published images, text, and video asserting that plaintiffs William Aldenberg and David Wheeler are in fact the same person, who is a crisis actor.
- E. Faced with invasion-of-privacy lawsuits, Halbig took down his website in August 2016. However, he has continued to publish false, malicious, and defamatory statements regarding the Sandy Hook shooting and its victims continually through Facebook, email, and various radio and internet media outlets.

77. Halbig has also published Facebook posts containing images and text asserting that plaintiffs William Aldenberg and David Wheeler are in fact the same person, and that person is a crisis actor.¹⁰ His Facebook page continues to display those publications.

78. Jones was aware that Halbig had published such statements through his website and other outlets. In fact, Jones brought Halbig onto his shows for the very purpose of eliciting and publishing such statements.

79. In addition to hosting Halbig on his show time and again, Jones specifically directed and encouraged Halbig to continue his Sandy-Hook-related activities in Connecticut. Jones and other Infowars personnel specifically solicited that their audience contribute funds to Halbig so that he could continue his efforts.

80. In fact, Jones and Infowars sent Infowars personnel to Connecticut to conduct live "reporting" on Halbig's activities and publish his false, defamatory, and outrageous accusations about the plaintiffs.

81. For instance, on May 29, 2015, The Alex Jones Channel published an Infowars video, now posted on YouTube with the title "School Administrator Exposes Sandy Hook Stonewall."¹¹

82. The video was introduced by David Knight. The video then cut to Dan Bidondi, an Infowars reporter, who was reporting from Halbig's Freedom of Information Act hearing in Hartford, Connecticut.

⁹ <https://web.archive.org/web/20150731014342/http://www.sandyhookjustice.com:80/>.

¹⁰ See, e.g., <https://www.facebook.com/wolfgang.halbig.1/posts/196562527355324>; <https://www.facebook.com/wolfgang.halbig.1/posts/195439914134252>.
<https://www.facebook.com/photo.php?fbid=196561627355414&set=pb.100010047343967.-2207520000.1526661423.&type=3&theater>.

¹¹ <https://www.youtube.com/watch?v=SO8Xb-t4nT4>.

83. Infowars reporter Dan Bidondi had traveled to Hartford, CT to “report” on this hearing on behalf of Infowars and Alex Jones.

84. On information and belief, other Infowars employees, apparent agents, and/or agents, including videographer Kevin Laprade,¹² traveled to and were located in Hartford, Connecticut, for the creation of this video.

85. Sklanka acted as Halbig’s driver, and actively facilitated his appearance on Infowars.¹³

86. On July 7, 2015, The Alex Jones Show broadcast a video now posted on YouTube with the title “Retired FBI Agent Investigates Sandy Hook: MEGA MASSIVE COVER UP.”¹⁴

87. Jones noted, referring to the May 29, 2015 video, “I knew that we’d sent a reporter, Dan Bidondi, there for days, to cover the city council hearings about it, the fact that they’re sealing everything.”¹⁵

88. Jones continued, “Bidondi did a great job. I just wish I had known about this. I would have gone up there. Halbig tried to get me to go. I just am trying to launch the TV network and the new website and everything else.”

89. Jones and Infowars purposefully sought to direct their message and spur “investigation” of the Sandy Hook families and the Newtown, Connecticut community in other ways, as well. For example, Jones took calls from listeners who called claiming to live close to Newtown, Connecticut, and encouraged them to continue their “investigations.”¹⁶

90. Jones and the rest of the Jones defendants acted together to develop, disseminate, and propagate the false statements described in this Complaint.

91. Similarly, Sklanka and Halbig acted together, and they both acted together with the Jones defendants, to develop, disseminate, and propagate many of the false statements described in this Complaint.

92. Jones and other Infowars personnel mentioned in this Complaint were at all relevant times servants, agents, apparent agents, employees, and/or joint venturers of the Jones defendants.

93. Defendant Halbig was at all relevant times a servant, agent, apparent agent, employee, and/or joint venturer of the Jones defendants.

¹² <https://www.facebook.com/photo.php?fbid=10209638407182257&set=a.3495510351748.2134051.1391267684&type=3&theater>.

¹³ https://www.youtube.com/watch?v=4_2FznkfcBU.

¹⁴ <https://www.mediamatters.org/embed/clips/2016/11/29/51284/gcn-alexjones-20150707-shooting>; <https://www.youtube.com/watch?v=8YV1eWq8YSc>.

¹⁵ <https://www.youtube.com/watch?v=jCOe3qIgyFA>.

¹⁶ https://www.youtube.com/watch?v=TGCfi_ot0CU.

94. Defendant Sklanka was at all relevant times a servant, agent, apparent agent, employee, and/or joint venturer of Halbig and the Jones defendants.

95. Defendants GENESIS COMMUNICATIONS and MIDAS RESOURCES both participated in this conspiracy and independently distributed the publications contained in this Complaint.

THE DEFENDANTS' SANDY-HOOK-BASED BUSINESS MODEL

96. The Jones defendants and their co-conspirators' conduct is based on a simple motive: greed. The defendants' business model is based on their fabrication, propagation, and amplification of conspiracy-minded falsehoods like those about Sandy Hook. It is a very lucrative business model.

97. The Jones defendants have developed and cultivated an audience through the propagation of narratives revolving around paranoia, social anxiety, and political discord, a known motivator for some people.¹⁷

98. The false claim that the Sandy Hook shooting was a government-sponsored hoax designed to lead to gun control was therefore a prime narrative for attracting, augmenting, and agitating Jones's audience.

99. Jones and his subordinates hold themselves out as trusted newsmen, assiduously assuming the paraphernalia and symbology of television and radio journalism. This is obvious to anyone watching or listening to Infowars content: the consciously deepened voice; the news-anchor's huge Lucite desk; the shuffling of papers; the clipped news-anchor's diction and regular tone modulation; the title-and-picture callouts by story; the breaking-news broadcast opening and transition graphics using Infowars logos; the regular references to Infowars "reporters" and "investigations."

100. Once he has their attention and trust, Jones exploits his audience by selling them products in line with the paranoid worldview he promotes. In his internet-based and broadcast radio shows, the Jones defendants hawk "open currency" precious metals, pre-packaged food and dietary supplements, "male enhancement" elixirs and radiation-defeating iodine tablets, gas masks and body armor, and various customized AR-15 "lower receivers" (the extruded metal frame that encloses the breach, ammunition feed and firing mechanism of the rifle).¹⁸

101. According to non-parties Bankrate LLC and Celebrity Net Worth, in mid-2017, Alex Jones himself had a personal net worth of approximately \$10,000,000. According to non-party Worth of the Web, an Internet-based clearinghouse that brokers sales among existing websites and web-based businesses, Infowars.com is worth approximately \$68,000,000.

¹⁷ See generally Richard J. Hofstadter, *The Paranoid Style in American Politics, and Other Essays* (1964).

¹⁸ <https://www.INFOWARStore.com/gear/personal-protective-gear/victory-series-2-minuteman-limited-edition-80-lower-ar-receiver.html>.

102. In May 2013, just six months after the Sandy Hook shootings, when his false narrative about those events was beginning to crescendo, an investigative reporter estimated that Alex Jones was making approximately \$10,000,000 annually, which excluded any additional revenue attributable to book and DVD sales, remunerated speaking engagements and on-line merchandise sales, promotional tie-ins and royalties.¹⁹

103. In other words, the Jones defendants concoct elaborate and false paranoia-tinged conspiracy theories because it moves product and they make money. Jones and his subordinates say what they say not because they are eager to educate or even to entertain their audience. Rather, they deliberately stoke social anxiety and political discord in their listeners, because distrust in government and cultural tribalism motivate those listeners to buy their products.

104. News reports confirm that Jones and his business entities engage in the kind of conduct described in this Complaint not because they truly believe what they are saying, but rather because it increases profits.

105. Former employees described “money-bomb fundraisers” that raised \$100,000 in a day (for a for-profit entity), and programming being chosen based on its “being sensational and making money.” “People were just so taken by the information we’d been pushing they’d do anything,” one said.²⁰

106. In fact, during the legal proceedings in which Jones sought custody of his three children, Jones’s own attorney argued that Jones’s two decades of activities were mere “performance art” and that “he’s playing a character.”²¹

THE CAMPAIGN OF ABUSE

107. Jones’s and Infowars’s campaign of abuse began only days after the plaintiffs lost their loved ones to Adam Lanza’s murderous rampage.

108. On December 19, 2012, Infowars.com published an article entitled “FATHER OF SANDY HOOK VICTIM ASKS ‘READ THE CARD?’ SECONDS BEFORE TEAR-JERKING PRESS CONFERENCE.”²²

109. That article alleges that plaintiff Robbie Parker, father of six-year-old Emilie Parker, read off a card at a press conference the day after his daughter was killed. The article asked, “Is the establishment media trying to steer the victims’ reactions?”

¹⁹ Alex Seitz-Wald, *Alex Jones: Conspiracy, Inc.*, Salon (May 2, 2013).

²⁰ Charlie Warzel, Alex Jones Will Never Stop Being Alex Jones, *Buzzfeed* (May 3, 2017), https://www.buzzfeed.com/charliwarzel/alex-jones-will-never-stop-being-alex-jones?utm_term=.yqXeXzdLEZ#.qewdqoN0m2.

²¹ Corky Siemaszko, *InfoWars’ Alex Jones Is a ‘Performance Artist,’ His Lawyer Says in Divorce Hearing*, NBCNews (Apr. 17, 2017), <https://www.nbcnews.com/news/us-news/not-fake-news-infowars-alex-jones-performance-artist-n747491>.

²² Infowars.com, *Father of Sandy Hook Victim Asks ‘Read the Card?’ Seconds Before Tear Jerking Press Conference*, Infowars (Dec. 19, 2012), <https://www.infowars.com/father-of-sandy-hook-victim-asks-read-the-card-seconds-before-tear-jerking-press-conference/>.

110. An embedded video was entitled: “Sandy Hook Shooting Exposed As a Fraud.”

111. At the bottom of the article, a “Statement from Alex Jones” said, “It appears that members of the media or government have given him a card and are telling him what to say as they steer reaction to this event, so this needs to be looked into.”

112. On January 8, 2013, Infowars.com published an article entitled: “COLLEGE PROFESSOR SAYS ‘CRISIS ACTORS’ MAY HAVE PLAYED PART IF SANDY HOOK WAS INDEED A HOAX.”²³

113. The article quoted James Tracy, a former Professor at Florida Atlantic University who has since been fired: “After such a harrowing event why are select would-be family members and students lingering in the area and repeatedly offering themselves for interviews? . . . A possible reason is that they are trained actors working under the direction of state and federal authorities and in coordination with cable and broadcast network talent to provide tailor-made crisis acting that realistically drives home the event’s tragic features.”

114. In the narratives and parlance of mass-shooting conspiracy theorists, “crisis actors” are actors employed by government agencies or other powerful actors to stage shootings, in which they play victims, witnesses, and bystanders.

115. The article is accompanied by an embedded video with the title “Sandy Hook Mass Media Psyop: Outtakes and Bloopers.”

116. A reasonable person would understand these statements, including the title of the embedded video, to assert that the Sandy Hook massacre was staged, and that the plaintiffs fabricated the deaths of their loved ones.

January 27, 2013

117. On January 27, 2013, the Alex Jones Channel posted a video now advertised on YouTube under the title: “Why People Think Sandy Hook is A Hoax.”²⁴ Just over a month had passed since the shooting at Sandy Hook.

118. Jones appeared in that video. During the video, he stated, “Now again, in the last month and a half, I have not come out and clearly said that this was a staged event. Unfortunately, evidence is beginning to come out that points more and more in that direction, and we’re going to show you that evidence in the moment. Now a lot of the tens of millions of video views on YouTube concerning the Sandy Hook hoax surround CNN, and what appears to be people who’ve been coached, people who have been given cue cards, people who are behaving like actors.”

²³ Infowars.com, *College Professor says ‘Crisis Actors’ May Have Played Part if Sandy Hook was Indeed a Hoax*, Infowars (Jan. 8, 2013), <https://www.infowars.com/college-professor-says-crisis-actors-may-have-played-part-if-sandy-hook-was-indeed-a-hoax/>.

²⁴ <https://www.youtube.com/watch?v=tM5ZdO-IgEE>.

119. Jones later stated, “I clearly believe from the evidence, children were really killed at Sandy Hook, and it’s a real tragedy. But the fact that there having people script things and that answers are being scripted, is incontrovertible.”

120. Later in the video, Jones stated, “One of the big issues out there that has people asking questions is Robbie Parker, who reportedly lost one of his daughters. And people see the photos out there where it looks like Obama’s meeting with all three of his children, and things like that. And, when you watch the footage, I know grieving parents do strange things, but it looks like he’s saying, ‘Okay, do I read off the card,’ he’s laughing, and then he goes over, and starts, um, basically breaking down and crying.”

121. Jones then played a video of plaintiff Robert Parker making a statement the day after the shooting. Parker lost his daughter, Emilie, in the Sandy Hook shooting.

122. Under the video was a chyron with the words “Odd Parent Reaction from SandyHook [sic].”

123. As the video of Parker played, Jones commented over it. “I haven’t touched this,” he said. “All I know is they’re seizing on it. They staged fast and furious . . . that killed thousands, our government, to blame the Second Amendment, they’d stage anything.”

124. Later in the broadcast, Jones said, “This needs to be investigated. They’re clearly using this to go after our guns . . . Something though, really, is starting to get suspicious here . . . But the fact that this whole thing could be staged, it’s just mindblowing. Tell us what you think. Great job to all the people out there with the crowdsourcing, that are resourcing all these clips.”

125. A reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiffs fabricated the deaths of their loved ones.

126. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

May 27, 2013

127. On May 27, 2013, Dr. Steve Pieczenik appeared on the Alex Jones Radio Show in an episode advertised on YouTube under the title “Sandy Hook was A Total False Flag!”²⁵

128. During that appearance, Pieczenik stated, “Sandy Hook was a total false flag. There was no individual involved; there was no Asperger’s; there was no 24 kids who were killed.”

129. In the parlance and narratives of mass-shooting conspiracy theorists, “false flag” is the idea that a shooting or other attack was staged by the government or other powerful forces.

²⁵ The Alex Jones Channel, *Dr. Steve Pieczenik: Sandy Hook was A Total False Flag!*, YouTube (Mar. 27, 2013), <https://www.youtube.com/watch?v=5EfyD7Wu5fQ&t=18s>.

130. A reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiffs fabricated the deaths of their loved ones.

131. On information and belief, this episode was also broadcast through Jones's radio affiliates.

132. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

March 14, 2014

133. On March 14, 2014, The Alex Jones Radio show broadcast an episode advertised on YouTube under the title "Sandy Hook, False Narratives Vs. The Reality."²⁶ During that episode Jones hosted Wolfgang Halbig.

134. Jones stated, "We've got people clearly coming up and laughing and then doing the fake crying. We've clearly got people where it's actors playing different parts of different people."

135. He continued, "I've looked at it and undoubtedly there's a cover up, there's actors, they're manipulating, they've been caught lying, and they were pre-planning before it and rolled out with it."

136. Jones stated, "The biggest piece of evidence is that [former New York Mayor Michael] Bloomberg had his social network folks ready two days before."

137. After claiming that he and Infowars had proven that the Boston Marathon bombing was a hoax, Jones later stated, "These people got to be stopped. If they'll stage the Boston bombing and Sandy Hook, they will do anything. The good news is that most people I've seen don't believe Sandy Hook. I think it blew up in their face."

138. Later, in conversation with Halbig, Jones stated, "Obviously I agree with you, something's going on, they're covering up, it's all staged."

139. Later in the conversation, referring to the Sandy Hook shooting, Halbig stated "I think it was a major drill, portrayed as one of the best illusions ever."

140. Jones stated, "We want to send—maybe even I'll go—we want to send reporters up there, Wolfgang, with you, and I understand how dangerous this is so maybe my reporters don't want to go, they probably will want to go, but maybe it's a mission I should go on, there's just so much to run here."

141. The audience for these broadcasts has included hundreds of thousands, if not millions, of people.

²⁶ <https://www.youtube.com/watch?v=esIvAO2aIlw>; <https://www.mediamatters.org/embed/clips/2016/11/29/51283/gcn-alexjones-20140314-shooting>.

May 13, 2014

142. On May 13, 2014, The Alex Jones Radio Show broadcast an episode advertised on YouTube under the title “Bombshell: Sandy Hook Massacre Was A DHS Illusion Says School Safety Expert.”²⁷

143. That day, Jones hosted Wolfgang Halbig.

144. During this video, Halbig stated: “I think the reason they’re not answering those questions ‘cause I think it’s going to expose their whole scam.”

145. Jones asked Halbig, “What are the big smoking guns . . . what are the big red flags?”

146. Halbig responded, “The red flags is that you’re looking at \$29 million . . . and there are 39 other community nonprofit organizations within Newtown that received a lot of funds.”

147. Jones interjected: “You’re saying a motive for the locals to go along with the fraud is money.”

148. Later, Jones prompted Halbig, “What about the kids going in circles, back and forth, the same people, into the school for the helicopters; it looked like a fake drill . . . just go through those points.”

149. Jones summarized, stating, “The cover up is the prima facie proof of the larger crime, and that we’re being lied to.”

150. He continued, “The whole thing, you’ve got ‘em jumping the gun . . . that Bloomberg was saying get ready the day before, get ready to fundraise on mass shootings . . . had a false start, didn’t you, Bloomy.”

151. Jones was asserting that former Mayor of New York City Michael Bloomberg knew about the shooting beforehand. The clear implication of this statement is that the shooting was “staged” and a hoax.

152. During that show, Jones stated, in reference to the Sandy Hook shooting, “Kids going in circles, totally staged . . . I mean clearly, it’s a drill, just like the Boston bombing.”

153. Halbig understood Jones. He responded, “Children did not die, teachers did not die, on December 14, 2012.” As he spoke, video of Robbie Parker at the December 15, 2012 press conference played.

²⁷ Alex Jones Channel, *Bombshell: Sandy Hook Massacre Was A DHS Illusion Says School Safety Expert*, YouTube (May 13, 2014), <https://www.youtube.com/watch?v=x2a1FwYEZS4>.

154. Halbig further stated, “Alex, we’ve never had a time in our history, where Sandy Hook, a school massacre, the biggest illusion ever portrayed by Homeland Security and FEMA . . .”

155. During Jones’s and Halbig’s discussion stating that the Sandy Hook shooting was faked, video of plaintiff Robert Parker’s press conference played above the chyron “Odd Parent Reaction from SandyHook [sic],” pausing it and playing it in slow motion during parts where it appears Parker is smiling.

156. During that show, Jones stated, in reference to the Sandy Hook shooting, “I mean it’s fake! Blue screens, it’s fake! . . . You got parents laughing [mocking laughing], ‘watch this,’ and then [mocking crying] method acting, [mocking crying and wailing] ‘Oh, my child!’ I mean, it’s just ridiculous! You’ve got coroners that start laughing—and I don’t mean uncomfortably, I mean like laughing—with the State Police when they’re giving press conferences. I mean, it just is the fakest thing since the three-dollar bill!”

157. A reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiffs fabricated the deaths of their loved ones.

158. On information and belief, this episode was also broadcast through Jones’s radio affiliates.

159. These statements were also contained in another video posted to YouTube, entitled “Sandy Hook Red Flags Ignored by Newtown School Board.”²⁸

160. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

September 25, 2014

161. On September 25, 2014, the Alex Jones Radio Show broadcast an episode advertised on YouTube under the title “FBI Says Nobody Killed at Sandy Hook Massacre.”²⁹

162. This assertion was a complete fabrication: the FBI had made no such statement.

163. During the September 25, 2014 broadcast of the Alex Jones Radio Show, Jones and Halbig asserted that FBI crime statistics showed that no one was killed at Sandy Hook.

164. This was a false statement. FBI crime statistics showed no such thing.

²⁸ <https://www.youtube.com/watch?v=YiXpr30oUkA>.

²⁹ <https://www.youtube.com/watch?v=NIRlzXvGy2s>. This video has since been removed “for violating YouTube’s policy on harassment and bullying,” but is now available at <https://www.youtube.com/watch?v=eqVqmFy4KW0>.

165. Jones stated that video from the day of the shooting showed that the same children were cycled in and out of the school and that no emergency helicopters were sent to the school, and were “clearly staged.”

166. Jones stated that two supposed former high-level national-defense officials had declared that Sandy Hook and the Boston bombing were faked.

167. Halbig asserted that “there were no trauma helicopters” sent to Newtown, that the other 600 children at the school could not be found, and that Sandy Hook Elementary School was “a toxic waste dump . . . the filthiest, most deplorable school . . . that I have ever seen.”

168. Jones asserted that the school was “a cut-out” used as a stage for the event.

169. Jones and Halbig both stated “I wish it was real instead of fake.”

170. Halbig stated that Connecticut state troopers “used they [sic] script,” that “it’s nothing but corruption in Connecticut,” and that 16 Connecticut state troopers lied under oath.

171. Halbig accused a company called Obsidian, located in Washington, D.C., of scripting well-known crises around the world, including Sandy Hook.

172. Halbig stated that “nobody died” at Sandy Hook. He stated that “they never allowed the paramedics or EMTs ever inside the school.”

173. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

September 26, 2014

174. On September 26, 2014, Infowars.com published an article by Adan Salazar entitled “SANDY HOOK INVESTIGATOR: CONNECTICUT PD HAD FBI FALSIFY CRIME STATISTICS.”

175. The article repeatedly quoted Wolfgang Halbig, who alleged that he had “discovered various anomalies which have led him to believe the entire incident was a contrived event.”

176. The article contained the following quote: “The American people need to wake up and listen to what these exercises are,” says Halbig. “A Homeland Security FEMA Capstone Exercise, it starts at the White House, at the president’s desk, goes all the way through Congress, through the Attorney General, down through the FBI, all the way down to the local government. It is a whole community event, and that’s what I think happened at Sandy Hook.”

177. The article quoted Halbig as saying that there was “a ‘script’ followed during the event.”

178. It quoted him again, saying, “I’m telling you nobody died [at Sandy Hook] . . . I’ve been a school administrator for 30 some odd years. When I have a child with a broken arm, or I’ve got a fight on the school bus, or a child’s been stabbed or shot, the first thing we get ready for are lawsuits. Alex, if there would have been just 2 or 3 lawsuits filed by the parents or loved ones who lost someone that day at Sandy Hook, I’d go away.”

179. A reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiffs fabricated the deaths of their loved ones.

180. On information and belief, the article has been viewed by hundreds of thousands of persons.

December 12, 2014

181. On December 12, 2014, Infowars Nightly News broadcast an episode now advertised on YouTube under the title “The Ultimate Sandy Hook Debate As The 2nd Anniversary Looms.”³⁰

182. The episode consisted of a debate between Keith Johnson (a self-described conspiracy theorist with americanfreepress.net) and Halbig, about Sandy Hook, moderated by an Infowars personality named Rob Dew.

183. During that broadcast, Halbig asserted that Sandy Hook Elementary School had been used as a toxic waste dump before December 14, 2012, and therefore no shooting took place there.

184. Halbig stated, “On behalf of Dawn Hochsprung, who supposedly was the principal and was shot [in the massacre] . . . I can tell you this with certainty: Dawn Hochsprung would never, ever, in her life, have allowed her school . . . to look so filthy and so deplorable . . . she would have never . . . allowed her school to become a toxic waste dump exposing every one of her children and school staff members to serious lifelong health risks . . . The doors are rotten, they’re filthy . . . there’s mildew.”

185. A reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiffs fabricated the deaths of their loved ones.

186. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

December 28, 2014

187. On December 28, 2014, during The Alex Jones Radio Show, Jones took a call from Kevin, a listener who called in claiming to live close to Newtown, Connecticut.³¹

³⁰ The Alex Jones Channel, *The Ultimate Sandy Hook Debate As The 2nd Anniversary Looms*, YouTube (Dec. 12, 2014), <https://www.youtube.com/watch?v=6aK0P-WxjU8>.

³¹ https://www.youtube.com/watch?v=TGCfi_otOCU.

188. Kevin said, “I’m calling about Sandy Hook. My take on it is . . . The whole thing is pretty much the next step in reality TV, because with other false flags, like 9/11 or Oklahoma City, or the Boston bombing, at least something happened. With Sandy Hook, there’s no there there. You’ve got a bunch of people walking around a parking lot, pretty much what it comes down to.”

189. Jones interrupted Kevin. “No, no, I’ve had the investigators on, the state police have gone public, you name it,” he said. “The whole thing is a giant hoax. And the problem is, how do you deal with a total hoax? How do you even convince the public something’s a total hoax?”

190. Kevin responded, “I always tell people the same thing: go out and prove the official story. And . . . I know the millisecond this happened, with that now-fake picture of the kids being led out of the school, that there’s nothing that’s going to sell this agenda like dead elementary school kids.”

191. Jones interrupted Kevin again. “The general public doesn’t know the school was actually closed the year before,” he said. “They don’t know they’ve sealed it all, demolished the building. They don’t know that they had the kids going in circles in and out of the building as a photo-op. Blue screen, green screens, they got caught using.”

192. Jones continued, “People just instinctively know that there’s a lot of fraud going on. But it took me about a year with Sandy Hook to come to grips with the fact that the whole thing was fake. I mean, even I couldn’t believe it. I knew they jumped on it, used the crisis, hyped it up. But then I did deep research—and my gosh, it just pretty much didn’t happen.”

193. A reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiffs fabricated the deaths of their loved ones.

194. On information and belief, this episode was also broadcast through Jones’s radio affiliates.

195. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

January 2, 2015

196. On January 2, 2015, Infowars.com published an article by Adan Salazar entitled “MYSTERY: SANDY HOOK VICTIM DIES (AGAIN) IN PAKISTAN.”

197. The article alleged that the “face . . . one of the children supposedly killed in the December 2012 Sandy Hook shooting in Newtown, Connecticut” had “without explanation . . . appeared in multiple photos and reports” related to an attack conducted by the Pakistani Taliban on a Pakistan Army school on December 16, 2015.

198. “Can the photo’s misuse simply be brushed off as another bumbling Google image search mistake?” the article stated. “Or could it be willful subterfuge aimed at poking fun at those who question the validity of the Sandy Hook event?”

199. The pictures used were images of Noah Pozner.

200. Upon information and belief, hundreds of thousands of people have viewed this article.

January 13, 2015

201. On January 13, 2015, during a broadcast of The Alex Jones Radio Show, Jones said, “Yeah, so, Sandy Hook is a synthetic completely fake with actors, in my view, manufactured. I couldn’t believe it at first. I knew they had actors there, clearly, but I thought they killed some real kids. And it just shows how bold they are, that they clearly used actors. I mean they even ended up using photos of kids killed in mass shootings here in a fake mass shooting in Turkey—so yeah, or Pakistan. The sky is now the limit. I appreciate your call.”³²

202. A reasonable person would understand these statements to assert that the Sandy Hook massacre was staged, and that the plaintiffs fabricated the deaths of their loved ones.

203. On information and belief, this episode was also broadcast through Jones’s radio affiliates.

204. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

February 12, 2015

205. On February 12, 2015, during the broadcast of The Alex Jones Radio Show, Jones, David Knight, and Rob Dew discussed the December 12, 2014 “debate” broadcast by Jones and Infowars and discussed in paragraphs 181 through 186 of this Complaint.³³

206. Jones, Knight, and Dew recounted several purported arguments that the Sandy Hook shooting was faked, including that rescue helicopters weren’t called, the investigation was “classified,” “ambulances weren’t even at the school” and were “stuck at the firehouse,” and that former New York Mayor Michael Bloomberg “alert[ed] his people the day before to get ready for a big push.”

207. Rob Dew stated “it looks like something went on there.”

208. Jones interrupted him saying, “A drill.”

³² <https://www.youtube.com/watch?v=Ap-DvMoiMOY>.

³³ <https://www.youtube.com/watch?v=QKCAo54hPk>.

209. Dew continued, “It stinks to high heaven. You got the actor father who comes out [and] gets into character. I was a theater major. I worked with actors. I used to watch them get ready before they would go out and cry like that.”

210. Jones interjected, “You have a degree in theater!”

211. Dew continued, “I was in the play *Our Town*. I’m sitting there watching these other people about to go out and do the funeral scene and they’re pumping themselves up, doing exactly what [Robbie] did [gasping, labored breathing].”

212. Jones interjected, “First he’s laughing and smiling, and then . . .”

213. Dew continued, “And then he’s totally sad, crying, and he was cracking jokes right before. That’s an actor. That’s an actor. I’m sorry [shrugs shoulders demonstratively].”

214. Then, a zoomed-in video of Robbie Parker at the press conference was played as Jones and Dew commented on it.

215. “I mean there it is,” Dew said. “He’s smiling.”

216. Jones said, “Then he huffs and puffs and gets into . . .”

217. Dew said, “That is a tell-tale sign of somebody acting right there. Now I don’t know for a fact that this guy’s an actor. That looks like acting all the way.”

218. Later, they discussed the HONR Network, a group associated with Leonard Pozner dedicated to opposing Sandy Hook hoaxing. Jones stated, “Well we’ll just start investigating that. And I guess I’m gonna have to probably go up to Newtown. I’m gonna probably go investigate Florida as well.”

March 4, 2015

219. On March 4, 2015, The Alex Jones Radio Show broadcast an episode now advertised on YouTube under the title “New Bombshell Sandy Hook Information In-Bound.”³⁴

220. Jones accepted a caller, “Eric from Connecticut,” with whom he discussed the Sandy Hook shooting. Eric stated, “One more thing, with my own personal investigation with this, is you find out who Robbie Parker works for, and you really start going down the rabbit hole.” They discussed about how Parker was purportedly a “solicitor for the chips [sic] program,” a database where “you register your kids,” to which Jones responded, “The DNA, the Masons pushed that.”

221. As they spoke, a mirrored computer screen played a muted YouTube video (from user “Russianvids”) depicting Robbie Parker speaking at the December 15, 2012 press conference.

³⁴ <https://www.youtube.com/watch?v=7ib5WkULBY>.

222. The title of the Youtube video was depicted, as well: “Sandy Hook Shooting Hoax Fraud Robbie Parker Actor Exposed Smiling Laughing then Fake Crying [sic].”

223. As the video played, a mouse cursor selected the words “Robbie Parker” in the title of the video, highlighting them to the viewer. Throughout the episode, Jones could be seen manipulating an Apple-brand cordless mouse. On information and belief, Jones was the person who highlighted the words “Robbie Parker.”

224. Jones then hosted Halbig on the episode.

225. During the broadcast, Jones asked Halbig to explain why Sandy Hook was “completely phony.”

226. Halbig stated the school was not in operation at the time of the shooting.

227. Jones stated that the school was suddenly reopened, received a “falling report” [sic], and did not look like a real school.

228. Halbig stated that it was the “most filthiest [sic] most deplorable school” and “loaded with lead paint . . . asbestos . . . PCP.”

229. Halbig stated that trauma helicopters were not called and that paramedics were not allowed to enter the school.

230. Jones stated, “I’m saying it was a drill, a giant piece of theater, did they really kill some kids? I don’t know.”

231. Referring to video of parents of children killed in the shooting, Jones stated that “they . . . bring in actors to break down and cry. . . used the same actors as different people.”

232. Both Jones and Halbig stated that Connecticut police ate lunch inside the school the day of the shooting.

233. Halbig encouraged listeners to contact the Newtown school board and ask them his questions.

234. A reasonable person would understand Jones’s and Halbig’s statements to assert that the Sandy Hook massacre was staged, and that the plaintiffs fabricated the deaths of their loved ones.

235. On information and belief, this episode was also broadcast through Jones’s radio affiliates.

236. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

May 28, 2015

237. On May 28, 2015, Infowars Nightly News broadcast an episode now advertised on YouTube under the title: “Sandy Hook: The Lies Keep Growing.”³⁵

238. David Knight hosted Halbig on Infowars Nightly News.

239. Halbig accused Newtown police chief Mike Kehoe of committing perjury.

240. Halbig once again appeared, and stated that the school was unsanitary and unsafe.

241. Halbig’s website was repeatedly advertised and listeners were encouraged to support him financially.

242. A reasonable person would understand Halbig’s statements to assert that the Sandy Hook massacre was staged, and that the plaintiffs fabricated the deaths of their loved ones.

243. On information and belief, this episode was also broadcast through Jones’s radio affiliates.

244. The audience for this broadcast has included hundreds of thousands, if not millions, of people.

May 29, 2015

245. On May 29, 2015, The Alex Jones Channel published an Infowars video, now posted on YouTube with the title “School Administrator Exposes Sandy Hook Stonewall.”³⁶

246. The video was introduced by David Knight. The video then cut to Dan Bidondi, an Infowars reporter, who was reporting from Wolfgang’s Freedom of Information Act hearing in Hartford, Connecticut.

247. The video cut back and forth between excerpts from the hearing and interviews of Halbig by Bidondi in the hallway outside the hearing room.

248. Infowars reporter Dan Bidondi traveled to Hartford, CT to report on this hearing on behalf of Infowars and Alex Jones.

249. On information and belief, other Infowars agents, including the person doing the video recording, traveled to and were located in Hartford, Connecticut, for the creation of this video.

³⁵ <https://www.youtube.com/watch?v=MI3KVj2nVRA>.

³⁶ <https://www.youtube.com/watch?v=SO8Xb-t4nT4>.

250. Later on May 29, 2015, the Alex Jones Channel published another Infowars video on YouTube, entitled “New Sandy Hook Questions Arise from FOIA Hearing.”³⁷ The video featured David Knight interviewing Wolfgang Halbig by streaming video.

251. During the interview, Halbig stated that Sandy Hook Elementary School was “a toxic waste dump . . . and yet, we have parents who would allow their children to attend that type of a school? I don’t believe so. And if they did, those parents are negligent for putting their children at risk.”

252. Halbig was clearly suggesting that the school was empty on the day of the shooting, and therefore that the shooting did not happen—and that the Sandy Hook parents are lying about their children’s deaths.

253. On information and belief, these statements were heard by hundreds of thousands, if not millions, of people.

July 7, 2015

254. On July 7, 2015, The Alex Jones Radio Show broadcast a video now posted on YouTube with the title “Retired FBI Agent Investigates Sandy Hook: MEGA MASSIVE COVER UP.”³⁸

255. Jones noted, referring to the May 29, 2015 video, “I knew that we’d sent a reporter Dan Bidondi there for days, to cover the city council hearings about it, the fact that they’re sealing everything.”³⁹

256. Jones rehearsed a number of his favorite arguments that the Sandy Hook shooting was staged. He stated, “It looked like a carnival. It looked like a big PR stunt. It came out that Bloomberg, a day before, sent an email out to his gun control groups, in all 50 states, saying, ‘prepare to roll, major operation coming up.’ . . . We have videos, that look just incredibly suspicious, people are laughing and everything, and then they start huffing and puffing and start crying on TV, which is pure acting method, you’ve got a degree, Rob, in theater. . . . This is something that even laypeople notice.”

257. This statement is clearly referring to Robbie Parker, and is most reasonably interpreted to be stating that Robbie was an actor and faked his daughter’s death.

258. “[T]he more we look at Sandy Hook,” Jones said, “I don’t want to believe it’s a false flag. I don’t know if kids really got killed, but you’ve got green screen with Anderson Cooper . . . and then his nose disappears. It’s fake! The whole thing, it’s—I don’t know what happened.”

³⁷ <https://www.youtube.com/watch?v=5cll79t7Mrw>.

³⁸ <https://www.mediamatters.org/embed/clips/2016/11/29/51284/gcn-alexjones-20150707-shooting>;
<https://www.youtube.com/watch?v=8YV1eWq8YSc>.

³⁹ <https://www.youtube.com/watch?v=jCOe3qIgyFA>.